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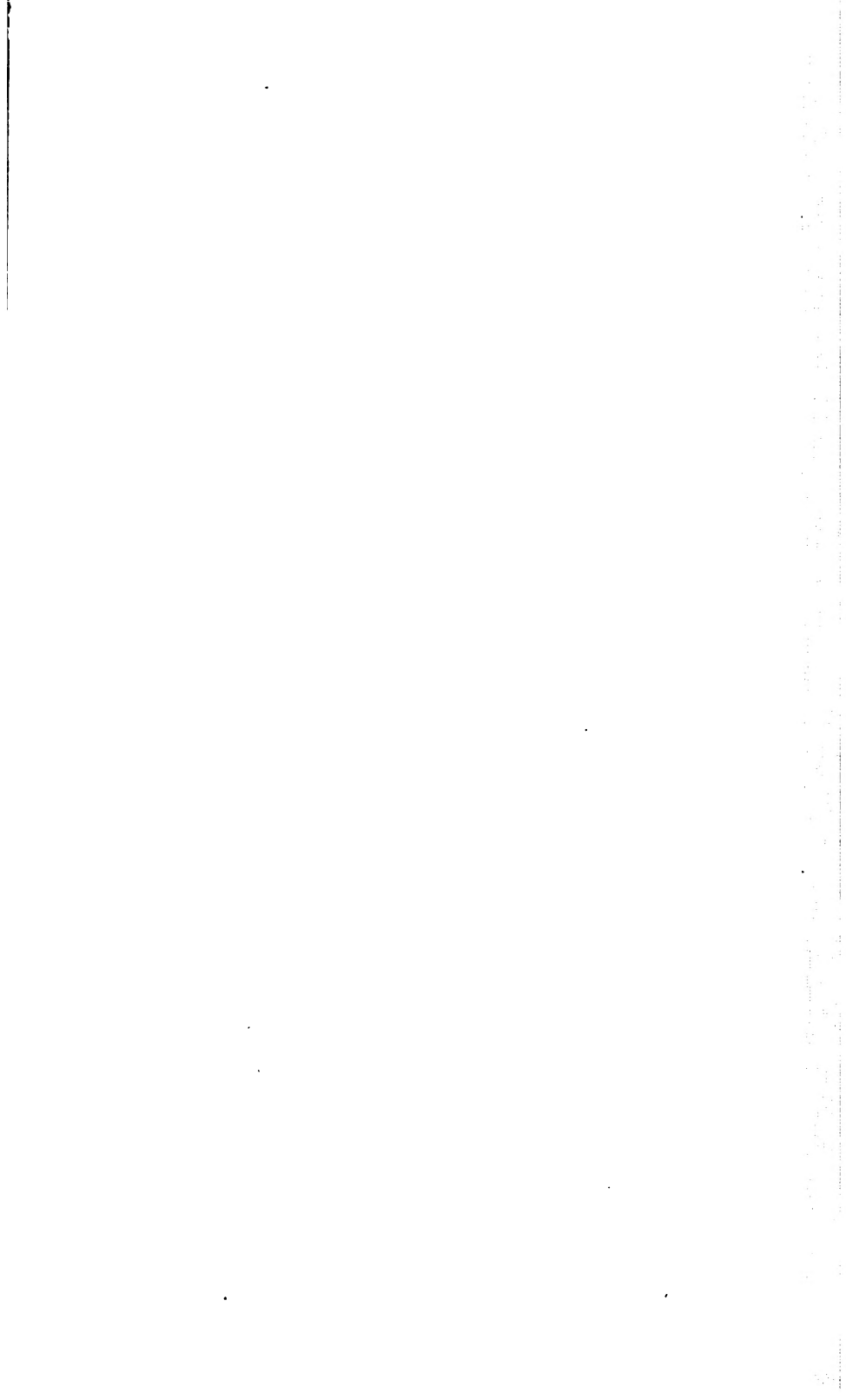
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THE
HISTORY
OF
IRELAND
FROM THE
INVASION OF HENRY II.
WITH A
PRELIMINARY DISCOURSE
ON THE
ANCIENT STATE OF THAT KINGDOM.

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THE

HISTORY

OF

I R E L A N D.

BOOK. III.

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Dec. 16. 1916
 May 1916

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THE accession of Henry the fourth to the throne of England laid the first foundation of those bloody contests between the factions of York and Lancaster which were severely felt in Ireland; and for many years raised an insuperable obstacle to the reformation and settlement of this distracted country. A serious attention to the state of Ireland, and a vigorous prosecution of its necessary service, required a reign of security and tranquillity in England, as well as a temperate and discerning monarch. A succession effected by intrigue and violence, was naturally followed by a reign of anxiety and commotion; and confined Henry to the measures necessary for his defence, that he might maintain and transmit the dignity he had acquired. Among the fair professions of a king, who was peculiarly obliged to affect reformation and vigilance of government, the affairs of Ireland were, however, declared to be a particular object of his attention,

Cotton. A **SUBSIDY** for three years was granted by the English parliament for the service of this part of his dominions: an ordinance was issued for reviving and
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and enforcing the statute against Irish absentees: the archbishops of Armagh and Dublin, who were ^{Rymer.} deputed by an Irish parliament to repair to the king, and to lay before him the state and grievances of the country, were graciously received; and Henry's second son, Thomas duke of Lancaster, was appointed vicegerent, and sent into Ireland to give weight and dignity to the government by his personal administration, but not before it had been for some time entrusted to Stanley and Scroop, two English knights, in whose government the public disorders were found to be encreased, and the intestine commotions of the country aggravated by invasions of the Scots. They had declared war against Henry soon after his accession. The vicinity of the northern Irish province, the weak and declining state of the English interest through this whole district, and the favor and support which they received from the native Irish, tempted them to several descents, by which they gained some settlements in Ulster, and assisted the Irish enemy to ^{Rot. Tur. Berm.} over-run this province. Donald of the Isles, as he is called, and his brother John, were principal leaders in these petty invasions; the citizens of Dublin fitted out some ships against the enemy, but their fleet had the misfortune to receive a total defeat. The pacification of Leinster and Meath, and the repressing the insurgents of Munster, proved more ^{Rot. Tur. Berm.} than sufficient for all the efforts of the governor; so that the king was obliged to assign him a deputy for the province of Ulster, Sir Gilbert Halsall, who had full powers to treat with the Scots and northern Irish. Thomas de Burgo was also appointed to exercise the like powers in Connaught.

THE arrival of the duke of Lancaster in Ireland, A. D. though accompanied with no considerable force, ^{1402.} promised more auspicious events. Complaints of the oppressions of former governors were received with sufficient grace, and the subjects assured of effectual

effectual redress. For this purpose, commissioners were appointed to hold inquisitions in several counties, to ascertain the names, number, and damages of those who had been spoiled by arbitrary exactions, and the persons from whom they had sustained such injuries. The hopes of redress, quieted and united the subjects, a circumstance of no inconsiderable effect in repressing the local disorders to which the English districts of greatest consequence were exposed. The marauding septs of Wicklow, were severely chastised by the arms of the magistracy of Dublin. The degenerate English in Argial, who taking advantage of the absence of several powerful subjects summoned to parliament, had committed the most alarming violences, were repressed, seized, condemned to die, and their lands declared forfeited to the king. Yet it was deemed prudent to pardon, and to allow them their possessions during their lives, as government was too weak, and the numbers of such offenders, as well as their influence, too considerable for a rigorous execution of the law. Several of the Irish chieftains of Leinster renewed those submissions to the duke, which they had formerly made to king Richard; and it was deemed a matter of some moment, that O'Reilly, the head of a great northern sept, submitted, and did homage, covenanting that the services he had paid to the earl of Ulster, should now be faithfully secured to the king, during the minority of Mortimer earl of Marche. Even such petty incidents served to give credit to the English government; and as Leinster seemed to be at peace, a parliament was summoned at Castledernot, particularly for considering of the most effectual means to repel the insurgents of Ulster, and to drive out the Scottish invaders. The subjects of the county of Dublin granted a subsidy for this service, which, on the return of the duke of Lancaster, was prosecuted with greater zeal than power, during the administration of the earl of Ormond. The citizens of Dublin

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Marlb.

Cotton.

Rot. Tur.
Berm.

and of Drogheda collected their several troops, and even carried the marauding war to the coasts of Scotland, where they revenged the incursions of the enemy by their depredations. Their hostilities were extended to Wales, from whence they returned in triumph, and with all the importance of victory, deposited, in the cathedral of Dublin, a shrine of Cubin, a famous Welsh saint, which had become part of their spoil. But amidst all this external Cox. parade and success, Art Mac-Murchad lay like a canker in the very heart of the Leinster territory. He exulted in the honor of having foiled a royal army: he despised the impotent attempts of Henry's deputies, and had discernment to consider that the title and dignity of his son, unsupported by a competent military force, was not sufficient to subdue him. He scorned to take part in the submissions made by inferior chieftains to the duke of Lan-^{A. D.}caster; and now, seducing several of these from their ^{1407.} promised allegiance, appeared at their head, and had defiance to Scroop, the king's deputy. A parliament was convened at Dublin, and thence adjourned to Trim, to concert measures for restraining this insurgent. The deputy was enabled, with the zealous concurrence of Ormond, Desmond, and some other lords of the English race, and the assistance of the subjects of Meath, to march against him. After a desperate and well disputed battle, he was defeated, but not reduced. The victors were suddenly called off to other insurgents; and all their vigor and bravery could but acquire some temporary advantages, with little damage to the enemy, and no permanent security to the subjects. The grievances naturally arising from such expeditions, the arbitrary exactions torn from those who were to be defended, the still encreasing degeneracy of the old English, who sought impunity for their crimes, or relief from their oppressions, in the quarters of the enemy, produced a revival of the statutes

statutes of Kilkenny, and other laws made to restrain the public grievances and corruptions.

A. D.
1408.

Cox.
Ware,

But the power of the great lords was still superior to the laws, who not only despised, but openly resisted the authority of government; and when disobliged by the least neglect, or tempted by any prospect of advantage, continued to assume the port of independent chieftains. The earl of Kildare had incurred the displeasure of the crown by some transactions which impeached his allegiance, at the time when the duke of Lancaster returned to his government. This prince, now more acquainted with the situation of affairs in Ireland, took care to arm himself with powers more extensive than he had formerly obtained. He stipulated, among other particulars, that men and money should be provided for his use; that the act against absentees should be strictly enforced; and, to strengthen the English plantation yet further, that one or two families should be transported to Ireland at the king's charges, from every parish in England; that the royal demesnes in Ireland should be resumed from those to whom they had been precipitately granted, or who had fraudulently usurped them; and that besides the pay of his forces, an annual pension of one thousand marks should be secured to himself for seven years, that the support of his government might not entirely depend on the precarious issues of the Irish revenue. But notwithstanding these provisions, his administration was undistinguished by any considerable services or important regulations. The refractory earl of Kildare was indeed seized and imprisoned, and obliged to purchase his liberty by a dutiful submission, and a fine of three hundred marks. But when the prince came to contend with the Irish insurgents of Leinster, he was vigorously opposed. Even under the very walls of Dublin his life was brought into the most imminent danger; he was wounded, and his forces repelled; and notwithstanding all his magnificent preparations for retrieving

retrieving this disgrace, he soon after returned to England, leaving the public defence to his deputy, Butler, the prior of saint John of Jerusalem.

Thus were the English in effect abandoned to their own resources and expedients. Forces could not be maintained without the imposition of coyne and livery, an imposition too afflicting and oppressive to be supported. The odious practice was declared to be high-treason, by an act of parliament which could not be executed: and it was continued in defiance of law, by the power of great lords, and the necessity of the times. The statutes of Kilkenny, specious and promising as they seemed, were calculated for a people able and determined to dispossess the enemy, and gradually to transform the whole country into an English state. But as the Irish, in despite of transient, occasional, and inadequate attempts to subdue them, gradually advanced in power, and enlarged their borders; the execution of these statutes proved sometimes impracticable, frequently inconvenient and pernicious. The subjects were prohibited from making war or peace with the Irish, without permission of government: but now, by the encreasing power of the Irish, and their perpetual inroads on the English borderers, sudden emergencies, and critical occasions, demonstrated the inconvenience of this prohibition, and obliged the government to grant licences to particular persons, to enter into treaties with the enemy, and to stop the progress of their ravages by such accommodations as might occasionally prove necessary or expedient. The subjects were also prohibited from holding any commerce or traffic with the Irish enemy. But now their most flourishing settlements and richest towns were so totally environed by the old natives, that they could trade with none other, and were reduced by such legal restraints to the danger of being utterly impoverished. Particular cities were obliged to sue for patents, whereby they were allowed

A. D. 1410.

Rot. Tur.
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allowed to admit the Irish to their markets, as the only means to prevent their total ruin. Particular denizations of the old natives multiplied; and this unhappy race amidst all their uncivilized pride, and mutual contention, with all their violence and animosity, their precipitate and destructive insurrections, were yet found so necessary for the culture and population of the land, that the English government would not permit those to migrate whom they refused to incorporate into the body of subjects, and of whose outrages they lived in perpetual terror. By an act of the Irish parliament, in the eleventh year of Henry the fourth, it was ordained that no Irish enemy should be permitted to depart from the realm, without special licence under the great seal of Ireland; and that the person and goods of an Irishman, attempting to transport himself without such licence, might be seized by any subject, who was to receive one moiety of the goods for such service, the other to be forfeited to the king.

Cox.

But notwithstanding this affected superiority, the power of the ancient natives was every day extending and encreasing, when a reign of turbulence in England, and the restless factions of English lords in Ireland, deprived the government of its necessary support. The active prior of Kilmainham was obliged to march against the disturbers of public peace, at the head of such Irish forces as pretended to be well affected to his service; and in the moment of trial found himself suddenly abandoned, and exposed to imminent danger. What could not be effected by military operations, was on various occasions attempted by treaties and stipulations; and here the superior power of the enemy dictated the terms. The borderers were by degrees driven to secure themselves against the inroads of the neighbouring Irish by bribes and pensions. It doth not appear at what precise time this dishonorable concession was first made; but from the public records it should seem, that the

the commencement of it was not much later than the present period. An annual stipend, afterwards well known by the name of Black-Rent, was paid to the powerful Irish chieftains, to purchase their protection, whose pride was thus fully gratified with what they deemed a recognition of their antient sovereignty.

From the turbulence and distractions of the reign of Henry the fourth, England, on the accession of his son, assumed a new appearance, and brightened with expectations of glory and conquest. His genius prompted the new monarch, and the circumstances of France encouraged him to an invasion of this country. Ireland was totally disregarded amidst the dazzling objects of his ambition; nor were its interests ever mentioned but in the formal petitions which still continued to be received from Irish agents without regard, or at least without effect, in every parliament convened in England. Sir John Stanly, who had administered the government of Ireland in the preceding reigns, without credit or success was again appointed to this office, to the utter dissatisfaction of those he was to govern; whose apprehensions were soon confirmed by the rapaciousness and oppression of their governor: The petty advantages gained over the enemy, were purchased by the odious exactions of coyn and livery, imposed without remorse; and extorted from the subject with an hardened violence during the short period of his government, which commenced in October, and ended with his life in the ensuing month of January.

The election of the Irish council appointed Crawly archbishop of Dublin, his successor, a prolate of piety and knowledge, but neither by his temper nor profession, fitted to govern a people discontented by their sufferings, or to repel an enemy violent and irritated. The representatives of a provoked and harassed people, convened at Dublin, refused to grant supplies. The enemy was in arms,

and their progress formidable. The realm seemed ready to sink under the complicated oppression of war and faction, when Sir John Talbot, lord Furnival, a man distinguished by his military abilities, landed near Dublin, and assumed the reins of government. Unattended by any army, he was obliged to rely on the forces raised in Ireland; and unprovided with any resources for their support, he pleaded necessity for recurring to the oppressive and arbitrary impositions used by his predecessors. He contrived, however, by a fair appearance of valor and activity, to strike terror into several Irish chieftains, who had proved the most pertinacious disturbers of the English territories. He marched in a circular progress round all the districts most exposed to incursion; and by pressing close upon the Irish in their retreats, terrified many into submission. Even Art. Mác-Murchad, the proud and turbulent chieftain of Leinster, was obliged to renew his homage, and to give his son as an hostage for his peaceable demeanour. Other leaders of note, in the west and in the north, followed this example. They were sworn to keep the peace, but in every other particular still retained their distinction and independence. The English pale was not enlarged; but for the present it was defended; and so considerable was such service deemed, that the lords and commons transmitted to the king, now engaged in France, an honorable testimony of the good conduct of his deputy. Such a complimentary address, however, seems to have been procured by his own influence, and the management of his partizans; for the subjects in general were by no means satisfied with his government, whatever advantage might have been derived from it. His impositions for the support of the soldiery, rendered him obnoxious to the severest judgment of the law; and in other instances he seems to have trodden in the steps of too many of his predecessors, and to have governed with partiality, injustice, and oppression. At a distance from

Davis.

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Rot. Tur.
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from the supreme seat of power, and with the advantage of being able to make such representations of the state of Ireland as they pleased, the English vicegerents acted with the less reserve. They were generally tempted to undertake the conduct of a disordered state, for the sake of private emolument; and their object was pursued without delicacy or integrity, sometimes with inhuman violence; such at least were the complaints of these times. As the English pale now enjoyed a tolerable degree of quiet, its inhabitants were more at leisure to reflect upon the injuries and sufferings they had endured, and more earnest to seek redress. The English subjects, who had settled and propagated in this kingdom, were by this time reduced to a mortifying situation. The old native Irish considered the whole race as aliens and intruders, those at least who would not consent to adopt their language and manners. Their fellow subjects of England, from their situation, from the magnified reports of their degeneracy and revolts, and from their own illiberal pride, were taught to confound them with the old natives, whom they considered as an inferior race. To encrease such prejudices, the worst and meanest of the inhabitants of Ireland frequently sought relief for their wants, or refuge for their offences, in England; and from the conduct of such outcasts, a judgment Cotton. was formed of the whole race. In the beginning of the present reign, the English parliament had been obliged to take notice of the swarms of adventuring wanderers from Ireland, who, by various pretences of craft and knavery, endeavoured to gain a wretched subsistence in England: they enacted that all such should be obliged to depart, and the law was executed with such insolence and folly, that the most reputable of the English race were included in the scandal and dishonor of this prohibition. Their students, who resorted to England for education, though expressly exempted from the penalties of the statute, were disdainfully excluded from

Rot. Tur.
Berm.

from the inns of court: the policy was shameful which precluded them from such an intercourse as would have erased their prejudices, and conciliated their affections to England; and the injustice flagrant, in denying them the opportunity of studying those laws by which they were to be governed.

Those who were sent from England to the government, or to any offices of trust and consequence in Ireland, came with all the prepossessions of their countrymen; and of consequence were tempted to exercise their authority with insolence, and to tyrannize with a total disregard and scorn of those they governed. The old English race retained the spirit of their original descent; and, conscious of their own services, as well as those of their ancestry in Ireland, were irritated to the utmost; and when they could not reject the authority of government, yet formed a faction in opposition to the English ministers, and were loud and violent in their complaints. In the fourth year of Henry the fifth, when the victorious monarch had returned from the battle of Agincourt, a parliament convened at Dublin, thought the period favorable to their interests, and determined to lay all the grievances of the Irish subjects before the throne. Their petition engrossed in due form, was presented to the chancellor, in order to have the great seal of Ireland affixed, a method of authentication usual and indispensable. But whether this petition was considered as the dictates of a factious opposition, or whether the ministers sent from England really dreaded the consequences of a spirited representation of their conduct, the chancellor (Merbery) had the hardiness to rise up against the legislature, and absolutely refused to affix the seal, so that the petition could not be transmitted. An incident of this kind must have been the consequence of violent animosities, and naturally tended to inflame that spirit which had given occasion to an act of power expressing both aversion and contempt

Ibid.

contempt. The old English reserved their resentment for a favorable occasion; the vigilance of the chief governor kept the Irish in awe; and the English province appeared so free from danger, that Botteler, the warlike prior of Kilmaisham, was enabled to march into France, to the assistance of the king, with fifteen hundred men. But peace and security, however valuable to those who had long lived in terror, could not redeem the odiousness of a government oppressive and unjust. Furnival departed with the execration of all those, clergy and laity alike, whose lands he had ravaged, whose castles he had seized, whose fortunes had been impaired by his extortion and exactions, or who had shared in the distress arising from the debts he left undischarged. A. D. 1417. Camb.

The appointment of the earl of Ormond to the Pryp. government with such ample powers, as bespoke a full confidence in his integrity and attachment to the crown, was a measure highly acceptable to his countrymen of the English race. He was both enabled and disposed to redress all their grievances; and when the parliament he summoned, began with an address to their chief governor, in which they recounted the oppressions they had sustained from his predecessors, his answer was full of the most gracious and captivating assurances of a just, equitable, and impartial administration. The parliament, on their part, discovered more than ordinary zeal to do honor to his government, by providing for the public exigencies. The debts left unpaid by Furnival, were in the first place ascertained and discharged: a subsidy was granted, amounting to one thousand marks, and apportioned on the English pale, in such a manner as discovered both the poverty and confined limits of this district; but these grants were accompanied, according to the old English custom, with a representation of grievances. Their petition to the throne was now revived, and conducted Rot. Tur. Berm.

ducted through the proper forms without control. Merbery was absent, and the person deputed to the custody of the seal could not refuse to affix it. The archbishop of Armagh and Sir Christopher Preston were appointed agents to present the requests of the Irish parliament to the king. The petition, which is still extant, contains a pathetic representation of the distresses of his subjects in Ireland, harassed on one hand by the perpetual incursions of the Irish enemy, and on the other by the injustice and extortion of the king's ministers. The king's personal appearance in Ireland is most earnestly entreated, to save his people from destruction. As the Irish who had done homage to king Richard, had long since taken arms against the English, notwithstanding their recognizances payable in the apostolic chamber, they beseech his highness to lay their conduct before the pope, and to prevail on the holy father to publish a crusade against them. The insolent opposition of Merbury to their former petition, is represented as an heinous offence, for which they desire that he may be cited to answer before the king. Stanly and Furnival, by name are accused of the most iniquitous practices, for which they pray redress and satisfaction; and while honorable mention is made of the conduct of Crawly, archbishop of Dublin, as well as of their present governor, (who, they request may receive the royal thanks for his generous declarations to parliament) all the governors and officers sent from England, are represented as corrupt, rapacious, and oppressive, secreting and misapplying the revenue entrusted to them, defrauding the subject, and levying coin and livery without mercy: the unreasonable exclusion of their students from the inns of court, the insufficiency and extortion of the officers of the exchequer, the number of absentees, and other matters of grievance are fully stated. They pray that those who hold of the king *in capite*, may not be exposed to the hardship of repairing to England in order to do homage.

homage, but that the chief governor be commissioned to receive it; that their commerce may be defended, their coin regulated, their churches supplied with faithful pastors, without such delays as they had experienced from selfish and designing governors. But above all things, they urgently entreat that trusty commissioners be appointed to inspect the conduct of the king's officers sent into Ireland; plainly declaring that such a scene of various iniquities would be thus discovered, as were utterly abhorrent to the equity of the throne, and utterly intolerable to the subject.

WHAT particular attention was paid to this petition, or what redress granted by the throne, doth not appear. There is reason however to suspect, that the complaints of his Irish subjects were not entirely unnoticed by the king; for soon after, we find that the odious chancellor was removed, and Rot. Tur. Berm. Fitz-Thomas, prior of the hospital of saint John of Jerusalem, substituted in his place. The earl of Ormond was continued in his government, which he administered with general satisfaction, defending the pale, and chastising the petty inroads of the bordering Irish. In this confined district, when the subjects of English government were protected from invasion, or at most but slightly molested, faction, the natural consequence of ease and prosperity, appears plainly to have raged with particular fury. The mutual rivalships and jealousies of interested competitors, for power, favor, or emolument, the pride of the old English race, and the insolent affectation of superiority in those of British birth, separated the inhabitants into different parties, and laid the foundation of an odious and impolitic distinction of an Irish and an English interest, among those who should have united in one common band of allegiance and affection to the crown, and been considered and treated indiscriminately as members of the same state, and subjects of the same prince. The infection of party and jealousy spread through all orders,

Pryn.

orders, and was caught even by the clergy, who should have restrained or moderated it. The prelates of English and Irish birth, sometimes obliged the parliament to hear their intemperate disputes. An English bishop of Lismore, accused O'Hedian, of Cashel, of the most heinous and scandalous offences: while he charged him with incontinence, and profane sacrilege, in presenting his concubine with a ring which he had taken from an image of the virgin, and also with counterfeiting the great seal; he discovered the true source of his animosity, by adding that he was an enemy to the English nation, never conferred a benefice on any Englishman, and advised his brethren to pursue the same conduct. On the like ill-grounded or aggravated charges, was a bishop of Cork persecuted by the neighbouring prelate of Cloine. But these contentious ecclesiastics seem to have received little countenance from the parliament, which was either too moderate, or too great favorers of the Irish interest to encourage the attempts made against their countrymen.

The common enemy, who had left them leisure for frivolous dissensions, were too much disunited to take advantage of them. They were contented in the distant quarters of the island, to rule their petty septs, to maintain their state and consequence against their neighbours, to enjoy the honor and advantage of trifling victories, to execute their revenge, or to pursue their local interests. Their aversion to the English, was by this time scarcely more national than their aversion to the rival septs of their own race. They united in the most cordial affection with those of the old English families who had revolted to them; and their insurrections against the English, far from being uniformly actuated by a desire of exterminating the foreign invaders, appear to have been commonly occasioned by local claims and disputes. Sometimes they rose to avenge the defeat or death of some chieftain, sometimes to recover

Ann.
MSS. var.

recover some disputed lands, or to exact some duties which they claimed. Had the whole Irish race arisen as one man against the subjects of the crown of England, they must have instantly destroyed them. But the truth is, this little handful of men, for such they were when compared to the body of original natives, had the same ground of security with any of the particular Irish septs. They had enemies on all sides, but these were enemies to each other; nor were any concerned to espouse the quarrels of their neighbours, or mortified by their losses or defeats. Sometimes indeed, when a particular sept was in danger of total ruin from the victory of some English forces, their neighbours were persuaded to come to their rescue, "for the sake of the Irish language," (as the manuscript annals express it,) but without engaging further, and without conceiving themselves bound by one general permanent interest. These particulars seem necessary to be pointed out, not only to account for the subsistence of the English, but to guard against the prejudices of their annalists. They frequently intimate, that the reigning passion among the whole body of Irish for many ages, was an inveterate and implacable vengeance against the English settled in their country merely as foreigners and usurpers; and even in the representations of some Irish parliaments, and the acts of state, we find, in the aggravated language of law and politics, assertions of a settled design and general confederacy among the Irish to extirpate the whole race of English subjects. Their perfidious violation of treaties, and their cruelties are frequently displayed with great severity. But such charges are made on both sides: the sudden insurrections and local quarrels of the Irish, which the writers of England represent as the excesses of an horrid irreclaimable race of barbarians, are ascribed, by the Irish Annalists, to the insincerity, injustice, and oppression of their neighbours to the warmth of just resentment, or the efforts of self-

Ann.
Forbis.
MSS.

defence. It would be unreasonable partiality to suppose that such representations were always groundless.

THE accession of Henry the sixth, an infant prince, and the attention of his guardians to the affairs of France, naturally impeded the effectual reformation of Ireland, and even encreased its disorders. An English government totally unsupported, factions unrestrained among the English subjects, and no effectual control or opposition to the impetuosity of the Irish, afforded but a melancholy prospect; and the effects were speedily discovered. While the enemy in different quarters rose in arms and infested the English pale, a parliament convened at Trim, under the archbishop of Dublin, could vote but a slender augmentation of twelve men at arms, and sixty archers, to be paid for forty days. While their borders were invaded and their fairest settlements endangered, the subjects of the old English race found leisure to indulge the particular resentments of their party. Merbury, the delinquent chancellor of the late reign, was still the peculiar object of their indignation. They made the severest inquisition into all his conduct, which appears to have been neither chaste nor regular; brought him as a culprit before the council, charged him with many practices illegal and corrupt, by which he himself, and his associates of English birth received large sums from the exchequer without due warrant, and by their prosecutions at length drove him into England; where they still pursued, and obliged him to answer, before the throne, to the several articles alleged against his conduct.

Rot. Tur.
Berm.

To intimidate the enemy, and to repress these civil dissensions, the regency of England thought it sufficient to use the name of Edmund, earl of Marche and Ulster, and to appoint a nobleman to the government of Ireland, most respectable for his alliance and connections with the royal blood. This earl, at first disdaining to administer the Irish govern-

vernment in his own person, and filled with those ideas of the inferiority of the Irish subjects, which his intercourse and situation naturally inspired, thought his duty sufficiently discharged by deputing a bishop of Meath to govern in his absence. The ^{Rot. Tur.} prelate however respectable and venerable in his ^{Berm.} proper station, was yet both in rank and consequence much less considerable than the lords of the old English race. But what was still more offensive, he was of English birth, and lately sent into Ireland with all the proud and contemptuous prejudices of his countrymen. The nobles were provoked at this appointment, and when assembled in council, it was observed that his commission was sealed only with the earl's private seal. They demanded a commission under the great seal either of England or Ireland, and considerable altercations rose on this occasion in the council between the different parties of English and Irish birth. The deputy demanded his seat; the archbishop of Dublin, then chancellor of the realm, protested against the mode of his appointment, and refused to administer the oaths, or to receive him as governor. This prelate, though of English birth, yet united warmly with the opposing party, and possibly with particular resentment, that an inferior personage should be appointed to a station which he himself had formerly enjoyed. The nomination of the earl was as warmly supported by some Englishmen of figure lately arrived. To one of these, who demanded that the bishop should be admitted to the exercise of his office, in a manner the most peremptory and offensive, the archbishop replied with steadiness and temper, "Sir, you are a soldier. The borders are "harassed; go and repel the enemy; you will "thus serve the state more effectually than in this "place." The council however after some delay, at length consented to receive the deputy, with an express declaration that they received him, not from any conviction of the legality of his commission, but

but from the necessity of public affairs, and to prevent that damage and distress which might arise from a suspension of government. Such was the violence of faction, and such the general odium that fell on this bishop of Meath, and which an excellent private character and conduct could not redeem, that some time after, by the infamous means of confederacy and subornation, he was accused of stealing a chalice from one of the churches in his diocese. The bill of indictment found against him at Trim, was removed to parliament by certiorari; and here the bishop, with becoming dignity and spirit, pleaded his innocence, but demanded that his privileges, as an ecclesiastic and a lord of parliament, should be preserved inviolate. He was referred to his metropolitan, who received his compurgation, and pronounced him innocent. But his triumph over the virulence of his accusers was still more complete, when one of the accomplices in the robbery was seized with remorse, confessed his guilt, and discovered the real perpetrators.

Regist.
Swain,

Rot. Tur.
Berm.
A. D.
1423,

WE find this prelate summoning a parliament, which enacted severe penalties against all defacers of the king's coin, and declaring that it should be restored to the English standard; voting a continuance of the pension of eighty marks to Gerald Kevanagh, now leader of his sept, which had formerly been paid to Mac-Murchad for his services in preserving the peace, and making some of the usual provisions against insurgents; but these were still more effectually pursued by the earl of Ormond, who soon succeeded him as lord deputy, and seems to have been purposely appointed as a popular and vigorous governor, on account of some alarming commotions, particularly in the northern province. The vicinity of some part of the coast of Ulster to Scotland, afforded perpetual opportunities to the indigent rovers of that country to pour into Ireland, where they were retained by the Irish chieftains, and gladly assisted them in ravaging the English settlements.

ments. The deputy now applied to parliament, representing the imminent distress, and his own inability to repel the northern enemy; and the parliament enabled him to purchase the assistance of the De Burgos, with their followers, as well as that of the citizens of Dublin, by particular bounties. The earl of Marche and Ulster soon thought it necessary to repair to Ireland, in person, to rescue his inheritance from these invaders; but his sudden death at Trim, served to enflame their outrages and encrease the disorders of the state. Talbot, lord Furnival was appointed to succeed him as lord justice, and soon after the earl of Ormond was constituted lord lieutenant; both noblemen of distinguished spirit, and both justly dreaded by the Irish insurgents.

THE printed annalists slightly pass over the administrations of these noblemen; and yet there is good reason to believe that they acted a distinguished part, and reduced the Irish enemy to such submissions as shew they must have been considerably intimidated by the spirit of their military operations. The indentures of several of them, still extant, are ample and explicit, submissive and highly favorable to the English claims. They acknowledge ^{Rot. Tur.} themselves vassals to the king of England, promise ^{Berm.} not only to keep his peace, but to assist him against ^{A. D.} enemies and rebels; renounce all right and title to ^{1425.} the lands of English settlers which they had seized, and consent to atone for their offences by a fine; utterly relinquish the tribute sometimes received from the English settlements to purchase their protection, known by the name of Black-Rent, and even to take arms against those who should attempt to exact an imposition so abominable. Some stipulate to serve in the king's army with their followers when required by the deputy; and O'Nial in particular resigns all the lands, duties, and possessions formerly enjoyed by the earl of Ulster; in the fullest terms, acknowledges his submission and vassalage

salage to Richard duke of York, the heir and representative of the noble family of De Burgo. The degenerate English also of most notorious delinquency were obliged to treat; we find the Berminghams particularly giving hostages to the earl of Ormond, and all in general acknowledge themselves obnoxious to excommunication in case of failure, and resign their lands to all the consequences of an interdict.

WERE we informed of the measures pursued, the successes gained, or the treaties conducted, to the final accomplishment of these pacifications, the particulars might probably do honor to the administration of this earl. We only know that they were followed by an interval of general tranquillity, without any thing of note enough to be recorded, but the succession of governors known by little more than their names, sworn into office, appointing their deputies, and returning to England*. Yet in the course of four years we find an Irish parliament representing to the king, that all the Irish enemies and English rebels, "in the londe, with great multitude of Scottes bene confedered and sworne to Godyz, and have labored evermore and zet do, to make a final conqueste of the londe, and to put the liege pepull to be tributarie unto thame." In the remainder of the record we find the limits of the English pale, as it stood in the ninth of Henry the sixth, defined in such a manner as gives a mortifying idea of the extent of the English power in this period. It informs us, that the enemies and rebels had conquered and put under their obeysance and

Rot. Tur.
Berm.
A. D.
1430.

* In this interval we find an instance of the poverty, or the economy of those times, not unworthy of remark. It was agreed in council, that as the hall of the castle of Dublin, and the windows thereof were ruinous and that there was in the treasury "a certain ancient silver seal cancelled," which was of no use to the king, the said seal should be broken and sold, and the money laid out on the said hall and windows. Test. ed. Episc. Mid. Dep. 24 Jan. 6 Hen. VI. 1427.

and tribute; in the parts of Munster, well-nigh all the counties of Limerick, Tipperary, Kilkenny, and Wexford; and in the nether parts, well-nigh all the counties of Carlow, Kildare, Meath, and Uriel; so that there is left unconquered, and out of tribute, little more than the county of Dublin. This representation, purposely made to gain supplies from England, must have been greatly aggravated. The county of Dublin indeed, and the adjacent districts, might have been the only quarters where the English enjoyed a residence perfectly secure, and the jurisdiction of the crown was exercised in full vigor; but the English in other parts enjoyed considerable possessions, and by force of arms, or by compositions with the Irish, maintained them in a state of rude disorder, something between civility and war, declining gradually from the condition of loyalty and strict political obedience, through several degrees of irregularity and disregard to government, till, in the last extreme of degeneracy, they were completely blended with the original natives and enemies to the English power.

To prevent this gradual declension, and to preserve and maintain the possessions not yet wrested from the subjects of England, was the chief object of the short administration subsequent to that of Ormond. Hence the endless repetition of statutes against marrying, fostering, or trafficking with the Irish; against purveyance, protection of kernes or robbers, and against all arbitrary exactions for the support of war. The old English race were at the same time equally solicitous to assert their rights as Englishmen, and to express their discontents at the injuries or grievances they sustained or apprehended. Hence, in the petitions of parliament to the throne, we find the king earnestly entreated not to give credit to any misrepresentations of his Irish subjects. They repeat their complaints of the total ignorance Rot. Tur. and insufficiency of those sent from England to Bern. every office of trust; of odious distinctions propagated,

gated, and the rights of subjects denied to them in England; and pray to be considered and treated as Englishmen, agreeably to their rightful claims, and express stipulation of their ancestors. The discontents which produced such representations, gradually encreased under the succession of English governors, and separated the small extent of territory which the English still retained, into discordant interests and factions. Hitherto we find the families of Desmond and Kildare, unnoticed during the reigns of the Lancastrian princes, and the earl of Ormond the only nobleman of Irish birth in whom the crown placed peculiar confidence. Jealousies and secret animosities were the natural consequence; which were only suspended 'till a favorable occasion should give free course to their violence. James, the present earl of Desmond, had acquired his title and possessions in an irregular and extraordinary manner. Thomas, his nephew and the heir of Desmond, had accidentally been so engaged in the chace, that he was benighted near Tralee, and obliged to take shelter at the Abbey of Feal, in the house of one of his dependents, called Mac Cormac. Catherine, a beautiful daughter of his host, instantly inspired the earl with a violent passion which she refused to gratify unlawfully, and which he could not subdue. He married her, and by this inferior alliance, alienated his followers, whose brutal pride regarded this indulgence of his love as an unpardonable degradation of his family. James, his uncle, and aspiring lord, seized the advantage of their prejudices, and fomented their resentment; and so deeply had this family imbibed the manners of the ancient Irish, that he was enabled by his followers to expel earl Thomas thrice from his country, and at length to compel him to make a formal surrender of his estate and dignity. The unhappy lord retired to Roan, where anguish and melancholy soon put a period to his

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his life. James, now constituted earl of Desmond, had the estate and dignity confirmed to him by act of parliament.

SUCH a man, raised to his station in such a manner, was naturally solicitous to confirm and aggrandize his power. He contrived, by a pretended grant from Robert Cogan, to possess himself of an extended district called the kingdom of Cork, where, by means of his numerous followers both of ^{Warr.} Irish and English race, he established his authority, and lived in rude magnificence, in despite of the legal claims made by the families of Carew and Courcey. By uniting with Ormond in a factious quarrel between the houses of Butler and Talbot, he so far ingratiated himself into the favor of this earl, at a time when he was in the government as lord lieutenant, that by his mediation he gained several important favors from the crown. He had licence to purchase what lands he pleased, by what service soever they were holden of the king; and this probably to screen him from the consequences of his late illegal grant from Cogan. He was by ^{Pryn.} patent constituted governor of the counties of A. D. Waterford, Cork, Limerick, and Kerry; and what ^{1443.} is still more remarkable, under pretence that his services were necessary in the remoter districts of the realm, that his journies to parliament were burdensome, inconvenient, and dangerous to one so hated by the Irish, on account of his attachment to the crown, he was licensed to absent himself from all future parliaments during life, and allowed to send a sufficient proxy. Thus, while his power and influence were raised to an enormous height, he was left to exercise a sovereignty in his own territories, detached from English government, with no mark of submission or allegiance, in all that state of an independent chieftain which his family had frequently affected, but which was now dangerously confirmed and aggrandized.

THE effects of these incantious grants were soon ^{Ann.} discovered. While the degenerate English in ^{Ferbis.} ^{MS.} ^{ral}

ral quarters maintained the bloodiest quarrels with their neighbours, upon the most frivolous pretences, Ormond was obliged to lead those forces which might have quelled inferior offenders against the earl of Desmond. This nobleman instantly had defiance to that government which had given him so much consequence, and was surrounded by a troop of followers powerful enough to support him in his disloyalty. Forces were collected on each side, and hostilities commenced; nor could Ormond put an end to the sufferings of the wretched inhabitants visited by their arms, but by treating with his antagonist as an independent sovereign. A truce concluded for a year, gave Desmond an opportunity to strengthen his party, and to intrigue with the enemies of the governor. Ormond, once so popular, now found his influence every day declining, and his opponents enabled to insult him with impunity. Their representations at the court of England had so great effect, that the king was induced to send a special mandate that the earl should repair to his presence without delay, and explain the causes of those public discontents which had been conveyed to the throne, and seemed to reflect so severely on his government. Ormond, whose sentiments were liberal and his manners polished, saw the malice of his enemies with indignation and contempt. He summoned the nobility and gentry of the pale to attend him at Drogheda; he informed them of the royal mandate, and that after a government of three years administered with fidelity and success, he was now preparing to render an account of his conduct at the foot of the throne;—The English agents, said he, who bring the royal orders, are here before you; and in their presence I boldly appeal to my most inveterate enemy, if any such there be in this assembly. Let him stand forth, let him declare in what have I offended, let him point out the single instance in which the subject hath suffered by my injustice, or the state by my neglect. Here let me be brought to the severest

Cox.

severest scrutiny, not insidiously maligned in my absence.

THE magnanimity of conscious innocence could not fail of its effect. The most honorable testimonies were given to his integrity and to his services; and the king, upon an address from his Irish subjects, was prevailed on to suspend the order for his departure. Yet a settled scheme formed to remove him from his government was not so easily defeated. His enemies were indefatigable, and at length so far prevailed, even in parliament, that an address of a different nature was transmitted to the king in which he was represented as inactive by age and infirmity, incapable of conducting the affairs of state, unable to defend, much less to enlarge the royal dominions; he was accused of procuring several of his retainers to be chosen members of the commons, who, for his factious purposes, opposed the king's service, and refused their assent to such laws as the interests of the realm evidently required. At the same time he was charged with receiving sums of money for dispensing with the attendance of several lords of parliament, and imprisoning divers subjects upon frivolous pretences, and in order to extort large ransoms for their release. For these reasons the petitioners desire that the earl of Ormond may be removed from the government: and though the bishops of Cork and Cloyne, several temporal lords, and some corporations sent to the king the amplest testimonials of the good conduct of this earl, yet the representations of his enemies were so effectual, that Talbot, earl of Shrewsbury and now constituted earl of Waterford, was sent into Ireland to take the administration of government.

It was justly apprehended, that faction and dissension among the subjects must prove an encouragement to the insurrections of enemies and rebels. Talbot, therefore, came attended with a troop of seven hundred chosen men, an useful and a necessary supply.

Ann.
Ferbis
MS.
A. D.
1445.

supply. In despite of the most solemn stipulations, the Irish pleaded their numerous injuries, and rose in arms, as usual, in several quarters; and in defiance of lawful authority the English maintained their local quarrels. The family of Butler became involved with the Irish chieftain of Ossory, who was assassinated in the petty broil. The Berminghams, united with O'Connor of Offaly, and the whole territory of Meath was exposed to their depredations; while the branch of the family of De Burgo, known among the Irish by the name of Mac William of Clanricard, became the associates of O'Brien, and made war on the English not yet expelled from Thomond. The first care, therefore, of the new vice-gerent, was to suppress these petty commotions. The Irish chieftains were reduced, the degenerate English intimidated, and some of the most obnoxious among them, particularly of the sept of Bermingham, seized, condemned, and executed.

The public peace being thus restored, the earl had leisure to convene a parliament at Trim, to deliberate on the reformation of the state, and the more regular execution of government. Here it was once more declared highly penal to conform to the Irish fashion of the hair and beard, or to abandon the occupation in which a man had been nurtured in order to indulge and riot in the service of some factious leaders. It was enacted, that the denized Irish, guilty of robbery or homicide, should forfeit their privilege, and be treated as enemies. It was forbidden to receive clipped or counterfeit coin, or the coin called O'Reily's, an adulterate species issued by an Irish chieftain of this name. As a sumptuary ordinance was necessary in an impoverished state, it was enacted, that no person should use gold trappings, horse furniture, or gilded harness, except knights and prelates; and to discourage the transportation of bullion, which had encreased by clipping the king's coin, a custom of twelve-pence was imposed on each ounce of silver so transported.

TALBOT

Ir. Stat.
A. D.
1447.

TALBOT conducted his government with the greater ease, as he seems to have resigned himself entirely to the reigning faction which opposed the earl of Ormond. He even so far adopted the resentments and passions of this party, that at his return to England he accused this earl of treason before the duke of Bedford, constable of England. But the king, either from his own indulgent temper, or, which is more probable, from the policy of his ministers, who Cox. deemed it prudent not to declare absolutely in favor of any party of the Irish subjects, interposed his authority, and stopped the prosecution of this charge. Talbot archbishop of Dublin, was left deputy in his absence, and was so possessed with the sentiments of his brother, the earl of Shrewsbury, that he even wrote a treatise on the abuses of Ormond's late government. The prior of Kilmainham, Thomas Fitz-Thomas, still more violent, renewed the charge of high-treason against the earl, which was to be supported by combat. But here again the king interposed; and this repeated favor to the earl of Ormond seems to have laid the foundation of that lasting attachment which the family of Butler afterwards discovered to the house of Lancaster and its interests. But the jealousies and factions which now subsisted in England, produced a new appointment to the administration of government in Ireland, which had a lasting and important influence upon the affairs of this country.

C H A P. II.

Contests between the houses of York and Lancaster. . . . Death of the earl of Marche. . . . Richard duke of York appointed chief governor of Ireland. . . . His conduct and conciliating policy in this country. . . . His equity to the old natives. . . . His popular laws. . . . His departure. . . . Insurrections. . . . Generous contest between O'Connor and his son. . . . Military conduct of Fitz-Eustace. . . . Administration of the earl of Kildare. . . . Duke of York defeated at Blore-Heath. . . . Flies into Ireland. . . . His reception. . . . Zeal of the subjects and parliament of Ireland in his support. . . . He returns to England on the victory of Northampton. . . . Is attended by the Meathians and others from Ireland. . . . Is defeated and slain at Wakefield. . . . Effects of this event on the native Irish. . . . Real influence of the wars of York and Lancaster on Ireland.

TWO reigns of Lancastrian princes, and the second particularly distinguished by the brilliancy of victory and conquest, had yet not entirely extinguished the pretensions of the family of York, nor suppressed the zeal of those partizans who secretly favored the elder branch of Edward the third, and regarded the succession of the Lancastrian line, however sanctified by the decisions of parliament, as an injurious usurpation. Even in the very commencement of the present reign, it had been deemed prudent to remove Edmond earl of Marche from public view. He was descended, in the female line, from Lionel, duke of Clarence, elder brother to the prince, from whom the present reigning family derived all that they could claim of hereditary right. In an infant reign, the most scrupulous cautions were deemed necessary. Edmund was sent to govern Ireland; and by his sudden death, the

Rapin.

the rights of his family devolved on his brother Richard, a man possessed of all the qualities necessary for supporting them; valiant, prudent, and temperate; determined, but not precipitate; with that justice and benignity of disposition, which conciliated the affections of his followers, and that patient perseverance which watched the incidents of state, and waited to employ his power, when the favorable moment promised to crown him with success. On the death of the illustrious duke of Bedford, he had been appointed regent of France; and in this country for some years supported the declining interests of England with vigor and address. He was succeeded by the earl of Warwick; on his death returned to France; and when again removed from his government, by the intrigue and superior interest of the earl of Shrewsbury, came into England at a time most favorable for practising on the passions of men, and disposing them to support his pretensions.

THE rivalship which subsisted between the cardinal of Winchester and the duke of Gloucester, produced the marriage of Henry the sixth with Margaret of Anjou, which brought this weak and pliant prince under the dominion of a consort, possessed with that strength of understanding, extent of genius, and boldness of enterprize, which qualified her for all the turbulence of the political scene. She devoted herself to that party which had raised her to the throne. The duke of Gloucester, the darling of the people, was disgraced, accused, and murdered. A series of unpopular and odious measures, disgraceful enterprizes, insidious concessions, and inglorious treaties; the despicable easiness of the king, and the headstrong domination of his rulers, raised a dangerous ferment among the unquiet spirits of the English, which was increased by the powerful partizans of the family of York. Complaints were propagated of the mean abilities and inglorious submissions of the king, and of the tyranny, iniquity, and corruption of his ministry.

His

His title to a crown, which he so flagrantly disgraced, was contested without reserve, and the pretensions of Richard urgently enforced. The queen and her partizans were not inattentive to the rising danger, and justly conceived it a necessary precaution to remove the duke of York to a distance from the scene of political intrigue.

Cotton.

Ann.
Ferbis.
MS.

Davis.

THE petitions sent to every English parliament, describing the hostile dispositions of the Irish, and the perpetual danger of the English settlements, in terms highly aggravated, seem to have afforded the pretence for appointing duke Richard vice-gerent in this kingdom. At a time when the old natives were entirely engaged by their provincial quarrels, and Connaught, Ulster, and Munster, severally embroiled in the contests of rival chieftains, it was asserted in England, that, a general rebellion against the English government, demanded the immediate presence of an able and respectable lieutenant; and the charge of suppressing the imaginary commotion was assigned to the duke of York. This prince, cautious and deliberate in his pursuits, deemed his noble and powerful connections sufficient to support the interests of his family, though his own presence were for a while withdrawn; and justly concluded that a prince of the blood, allied to the house of De Burgo, invested with the earldom of Ulster, the lordships of Connaught, Clare, Trim, and Meath, and the inheritor of a vast estate in Ireland, could not fail to strengthen his party by an extensive following in this kingdom. He accepted of the office assigned to him, but took care that it should be attended with all the honor and authority which had ever been conferred on the most distinguished of his predecessors. He stipulated to hold his government for ten years, to receive the whole revenue of Ireland without account, with an immediate advance of two thousand marks, and an annual pension of two thousand more from England, to be empowered to let the king's lands, to dispose of

of all offices; to levy such forces as he should judge necessary, to name his deputy, and to return at his pleasure.

His arrival, and appearance in the seat of government, was splendid and magnificent. The officers of state surrounded him with expressions of extraordinary zeal and devotion; and numbers of dependents from his own lands, (especially of Meath, where his patrimonial rights had been best preserved) crowded to a court where all were received with a conciliating address and condescension. He entertained every party with equal kindness, without declaring openly for any. His obliging deportment engaged their affections, his prudence and caution moderated their violence. With the dignity of a prince of the blood-royal, he united the ease and affected cordiality of an associate and kinsman of the Irish subjects: and this people, whose jealousies had too often been awakened by the neglect of former governors, and their indignation roused by contempt, were captivated by a prince who treated them agreeably to their own ideas of their merits and consequence. Among the great rival lords, Ormond was known to be remarkably attached to the reigning prince: yet he too was received by the new governor with the respect and attention due to his exalted rank. His frequent intercourse with the English court, and the exercise of Irish government with which he had been repeatedly entrusted, had formed him to the manners and deportment of station and political business, instructed him in the true value of the civilities of the duke, and taught him to return them by a like exterior of respect and deference. Desmond, who lived retired from the seat of government, in the rude pride of vast possessions and numerous followers, and rather with the port of an Irish chieftain, than the submission of an English subject, was less experienced, and of consequence more captivated by the obliging demeanor of the duke of York. The attentions of

A. D.
1449.
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MS.

Davis.

so great a prince were to him more valuable: they confirmed his dependents in their notions of the grandeur and consequence of their lord, and swelled his own pride; but, with an undesigning confidence, he accepted them as the genuine marks of sincerity, and returned them by a real, warm, and generous attachment. The duke, soon after arrival, had an opportunity of shewing an equal and impartial attention to these great rivals. He had a son born in the castle of Dublin, George, afterwards the ill-fated duke of Clarence. Orinond and Desmond were the persons chosen to be sponsors to the infant prince; an incident which had its full effect on Desmond, who, more possessed with the Irish ideas of Gossipred and its ties, was thus confirmed in his attachment to the duke, but at the same time so intoxicated, by what he deemed an extraordinary mark of respect, that it is said to have encouraged him to very dangerous excesses of insolence and oppression.

Campion.

THE duke had come to his government, unattended by any forces; and, whatever representations had been made in London, he found no considerable enemies to encounter, nor any very extensive commotions to suppress. The son of a northern chieftain, called Mac-Eochaghan, either from a desire to avenge some wrongs, or from the impetuosity of youthful valor, had indeed risen up, and made an inroad into Meath, attended with considerable depredations. This incident was represented by the duke in a letter to the earl of Salisbury, his brother-in-law, as highly alarming and formidable; and the king urgently entreated to hasten the stipulated remittances to his lieutenant, that the state of Ireland might not be entirely ruined. But when the duke came to lead the royal army against this invader, the danger was readily dissipated. A treaty was proposed and accepted by York, which, with a spirit of equity and justice, he soon conducted to an issue satisfactory to both parties; and the Irish chieftain returned to his residence,

Ann.
Ferbis.
M8.

dence, contented with boasting to his rude followers, that he had given peace to the king's lieutenant.

IN these federal transactions with the native Irish, he was purposely studious to recommend himself to their favorable opinion, by moderation and impartial justice. To the subjects he was equally careful to express his zeal and solicitude for their welfare, by repairing and erecting castles for the defence of their settlements, and by reviving and enforcing such institutions as might remedy those disorders, and correct those abuses which had been the subject of popular complaint. In a parliament convened at Dublin, a new law was enacted ^{Ir. Stat.} **28 H. VI.** restraining the number of idle and disorderly followers, hitherto entertained by the marchers and other lords, notwithstanding repeated prohibitions. It ordains, that no lord shall entertain more horse or footmen, than he can support without burden to his neighbours, and that the names of all those who form his retinue shall be returned to the magistrates of his county or borough: that all *coyne, cosherings*, and other arbitrary exactions be utterly abolished: and that the violation of this statute, in any part, shall be adjudged and punished as felony*. To prevent the frequent harassing of the subject in a time of suspicion and disorder, when complaints were rashly or insidiously made, and too readily received, it was enacted in the same parliament, that ^{Rot. Can.} ^{Hib.} the prosecutor should give security to pay the just damages, if it should appear that the defendant had been wrongfully accused; that bail should be accepted, and the aggrieved party allowed his suit for false imprisonment. It was not only declared lawful to kill every man found robbing or despoiling the subject; but a reward was to be levied on the district

* "But to the end that some meanes might be raised to norish some forces for defence of the pale, by another acte of parliament everie twenty pound land was charged with the furnishing and maintenance of one archer on horse-backe." Davis.

strict in which such service was performed. And for the more effectual and impartial administration of justice, it was enacted, that the officers of state should grant no privilege but to their menial servants. In another parliament held at Drogheda, some further statutes were enacted, more especially to prevent grievances in the proceedings of law. To strengthen the government of the duke, an act of resumption was here passed of lands and offices; and to enable him to resist the enemy without loading the subject with heavy subsidies, he was empowered to proclaim the royal service, and demand the attendance of all the king's subjects, notwithstanding a late statute which had forbidden such proclamation to be made within ten years ensuing. And so favourable was this assembly to the earl of Ormond and his interests, that an address of thanks was voted to the king for his late protection and generous acquittal of this earl from the groundless and malicious accusations of his enemies.

Repia.

WHILE the duke of York thus administered his government in Ireland, in such a manner as to recommend himself to popular favor, and encrease the number of his adherents, the partizans of his family in England were industrious to enflame the discontents conceived against the queen and her minister, and to improve every incident to the purposes of his faction. The prosecution, and death of the duke of Suffolk, (the violent effect of discontent too justly conceived, and industriously fomented,) freed him from a powerful adversary. The progress of Cade, who assumed the popular name of Mortimer, and led his malecontents through a course of most alarming extravagancies, had discovered the dispositions of the people to the house of York; and it was (possibly with good reason) supposed that this Irishman had been secretly employed by the duke, for that very purpose. At court it was without reserve alleged, that York had raised this insurrection, was forming designs against the king, and intended to lead an Irish army into England in order

order to dethrone him. Letters were dispatched to the Sheriffs of Cheshire, Shropshire, and Wales, notifying the traitorous intentions of the duke, and directing them to oppose his landing. Such rash declarations of the fears and suspicions of the court, taught the people to enquire into the grounds and reasons of this procedure, and to examine the pretensions of the duke. To him they afforded a fair pretence of returning into England, to justify his conduct, and to guard against the designs of his malicious enemies; and both he and his faction, when they found their schemes suspected, became the more determined and the less cautious. The duke, embarked, eluded the opposition on the coast of Wales, and soon appeared in London, but without any army, and with such a train as could give no fair or plausible cause of complaint.

It doth not appear what particular provisions ^{A. D.} this prince made at his departure for the admini-^{1451.} stration of Irish government. It seems highly extraordinary that he should constitute the earl of Ormond his deputy, a noted partizan of the house of Lancaster, and about this time honored with the additional earldom of Wilts. And yet we find this ^{Pat. Rol.} earl summoning a parliament at Drogheda, under ^{H. VI.} the title of deputy to the duke, and soon after cre-^{Rot. Tur.} ated lord lieutenant of Ireland by the king; and, as ^{Berm.} his presence was necessary in England, he constituted the archbishop of Armagh his deputy. But such were the disorders, or such the apprehensions arising from the appointment of an ecclesiastic to a government which required military abilities, that the earl soon received the king's command to return to Ireland; where, after a few inconsiderable excursions ^{A. D.} to correct the disorders of the ancient natives, he ^{1452.} died, and the administration devolved on Sir Ed-^{Ann} ward Fitz-Eustace, a warlike knight, and fitted for ^{Ferbie.} a government which required activity and vigor*. ^{MS.}

The

* On the apparent reconciliation of the king and duke of York, and the retiring of the duke to Wales, he seems to have been restored to his

The absence of the duke of York had encouraged the native Irish to several petty quarrels: the death of the earl of Ormond enflamed their spirits still more violently. Innumerable incursions, and expeditions in different quarters of the island, are recorded by their annalists, which neither deserve nor admit of a detail. The lords of the English race, who were attached to the crown, exerted themselves against the remoter insurgents, while the deputy himself was employed to restrain the violences exercised in Leinster. O'Connor, the turbulent Irish chieftain of Offaly, had alarmed the deputy by an inroad into the district of Kildare. He was surprised by Fitz-Eustace, and his troop put to the rout. The chieftain, in endeavouring to escape from his pursuers, fell from his horse; his son, the companion of his danger, stopt, and remounted him; but unhappily, the father fell a second time to the ground. A generous contest was now commenced between the father and son, which of them should be resigned to the mercy of the enemy. The youth urgently pressed his father to take his horse, to leave him to his fate, and to seize the present moment of providing for his own safety. The father obstinately refused; commanded his son to fly, and was quickly made prisoner; but as it appeared that he had taken arms merely for the sake of prey, not with any deliberate purpose of opposition to English government, he was released without any injury.

THE chieftains of the north were still more turbulent, and required greater force and severer execution to repress their violences. The sept of O'Nial was

his Irish government, or at least acknowledged as the regular vice-gent; for in a patent of the thirty-first of Henry the sixth, dated the twelfth of August, the king styles Fitz-Eustace deputy of our dearly beloved cousin Richard, duke of York, lord lieutenant of our land of Ireland. He was afterwards invested with this office, by virtue of the duke's commission, bearing date the twenty-third of April, in the thirty-second of Henry the sixth. Rot. Tur. Bern.

was ever the most jealous and most impatient of the English power, as the dominion of the crown of England was regarded as an usurpation of the claims of royalty, which their own native lord never had resigned. They had indeed gradually dispossessed the English from several of the most valuable settlements in Ulster; but since the Scottish invasion in the reign of Edward the second, they had not been able to form any scheme of general insurrection. Temporary excursions and marauding expeditions they had frequently made; and now, having intelligence of some English vessels sailing from the port of Dublin, they fitted out a fleet of barks, attacked them in their passage, rifled them, made the passengers their prisoners, among whom was the archbishop of Dublin, and returned laden with their spoil, and exulting in their success. The alarm of this enterprise, soon reached the English, yet resident in the north, was conveyed to Dublin, and a force quickly raised to chastise these pirates. Several of the Irish chieftains of Ulster, united with the son of O'Nial, who boldly marched against his invaders, and threatened the English with a war more formidable than they had for some time experienced. An engagement, however, fought at Ardglass, and for some time obstinately maintained, at length ended in the total discomfiture of the northern Irish. Their general was taken prisoner, and several of his associates were slain, with five or six hundred of inferior note; a seasonable mortification to these turbulent septs, which confined them to their own local contests, and left the deputy at leisure to attend to the regulation of government. He soon after summoned a parliament at Dublin, in which all statutes, enacted in England, against suing provisions at Rome, were made of force in Ireland; another statute was enacted to prevent coroners from harassing and detaining jurors, who, on inquisition for murder, return that they know not the perpetrator; and

Ann.
Ferbie.
MS.

Ir. Stat.
A. D.
1454.

and a third to prohibit appeals to England, except in cases of treason.

THIS attention to the rights of the crown, and the ease and convenience of the subject, closed the administration of Fitz-Eustace. The affairs of England became gradually more and more embroiled. The total loss of all the French dominions, so mortifying to popular vanity, enflamed the general discontent; and the birth of a young prince taught the Yorkists the immediate necessity of improving them. Duke Richard issued from his retreat, and, under pretence of the king's indisposition, was by the parliament appointed protector and lieutenant of the realm. The opposite faction endeavoured to wrest this power from his hands. The contest came at length to be decided by arms; the victory of Saint Alban's gave the duke possession of the king's person, and the whole authority of the crown; he determined to strengthen his interest in Ireland; Fitz-Eustace was removed, and the reins of government entrusted to the earl of Kildare, whose family had formed a strict connexion with the duke of York during his residence in Ireland, and were still the partizans and assertors of his cause, as well as the rivals of Ormond, whose attachment to king Henry was equally avowed. A nobleman, one of the most powerful and distinguished friends to his brethren of English race, whose house had been their great support against all the weight and all the oppressions of the later and more favored party sent from England to the various departments of administration, proved an acceptable and successful governor. The deaths of several native Irish chieftains, as well as of some of the most powerful lords among the degenerate English, contributed to the ease of his government, and the tranquillity of the state. He ruled unmolested except from some insurrections of the Butlers, who joined with some Irish chiefs, and attempted to disturb his government. But although the com-
motion

motion was at first so considerable as to occasion an application to the throne, yet it was soon suppressed, and the deputy left at liberty to enact laws, for the space of four years, till new revolutions in the affairs of England dismissed him from his charge.

The spirit of Margaret renewed the contests ^{A. D. 1462.} with the Yorkists, which, after an affected reconciliation, broke out again; and at Blore-Heath, near Staffordshire, duke Richard was betrayed, defeated, and driven for shelter into Ireland. He was here received not as a fugitive, but with all the marks of deference due to a chief governor, and all the warmth of affection which his former conduct had excited; and while his adherents were proclaimed rebels and traitors, and he himself formally attainted in a parliament held at Coventry, the body of Irish subjects declared almost unanimously in favor of his cause, and zealously resolved to support it with their lives. ^{Cotton.} The vengeance of the crown, though it could not reach the duke, yet pursued some of his party into Ireland. Writs were sent over to seize and bring them to justice. But here the king's authority proved of little weight against the influence of the popular viceroy. He not only controlled the execution of these writs, but had the address to prevail upon an Irish parliament to enact a law, declaring that it had been ever customary, in their land, to receive and entertain strangers with due support and hospitality, that the custom was good and laud- ^{Irish Stat. 10 H VII c. 7.} able, and that it should be deemed high-treason for any person, under pretence of any writs, privy seals, or other authority, to attach or disturb the persons, so supported or entertained. Nor was this law, evidently dictated by the extreme violence of faction, suffered to lie dormant. An agent of the earl of Ormond, who probably was totally unacquainted with it, ventured into Ireland to attach some of those now called rebels, by virtue of the king's writ, but was instantly seized, condemned, and executed as a traitor.

BUT the temper of the Irish subjects, and the policy of the duke of York, will appear more fully by an abstract of some laws passed in the Irish parliament immediately after his return.

Ro.
Can. H.
38H. VI.

THE assembly in the first place assumed the power of confirming the patent made to the duke, constituting him lieutenant of Ireland for ten years. They enacted, that if any person should imagine, compass, or excite his destruction, or death, and for this purpose confederate with the Irish, or any other persons, they should be attainted of high-treason. By an act calculated to guard the duke and his adherents from all the attempts of his enemies in England, they declared in the fullest manner, that Ireland is, and always has been, incorporated with-in itself, by ancient laws and customs, and is only to be governed by such laws, as by the lords and commons of the land, in parliament assembled, have been advised, accepted, affirmed, and proclaimed: that by custom, privilege, and franchise, there has ever been a royal seal peculiar to Ireland, to which alone the subjects are to pay obedience: that this realm hath also its constable and marshal, before whom all appeals are finally determinable; yet as orders have been of late issued under another seal, and the subjects summoned into England to prosecute their suits before a foreign jurisdiction, to the great grievance of the people, and in violation of the rights and franchise of the land, they enact, that for the future no persons shall be obliged by any commandment, under any other seal but that of Ireland, to answer any appeal, or any other matter, out of the said land, and that no officer to which such commandment may come, shall put the same into execution, under the penalty of forfeiture of goods and chattels, and one thousand marks, half to be paid to the king, and the other to the prosecutor; and further, that all appeals of treason in Ireland

Ireland be determinable before the constable and marshal of Ireland, and in no other place.

To give the final stroke to all opposers of the present Irish government, and effectually to intimidate all the partizans of Henry, this act is closed with a provision truly formidable: "That if any person shall appeal any other person, within the land of Ireland, and the matter be found false, that the prosecutor shall suffer death, and that no pardon in this case shall serve him." They also took care effectually to encourage the use of the English bow, by enacting that every man, for every twenty pounds of lands or other possessions which he enjoyed in Ireland, should entertain an archer arrayed and horsed after the English manner, a provision apparently designed to oppose the Irish, but really calculated for the purposes of the duke, and to maintain his quarrels in another kingdom. To crown all their partiality to this favorite governor, they declare all licences of absence void, the lands of absentees forfeited, and conclude with a resumption of all grants from the first year of this present reign. Some further attempts made by the royal party to seize the person of the duke and some of his adherents, only served to rouse the indignation of his partizans in the Irish parliament, and expose the agents to their vengeance. And by thus mixing in the contests of England, the Irish subjects were flattered into an opinion of their own consequence, and even their vanity served to inflame their zeal. Edward, earl of Marche, son to duke Richard, had followed his father into Ireland; and here being informed of the armament preparing by the earls of Warwick and Salisbury, he repaired to these lords at Calais, and with them soon effected a descent on England. Their victory at Northampton once more called the duke of York from Ireland; on which occasion the attachment of his adherents in this country was eminently displayed. They attended him in great numbers, with the most violent Davis
profes-

Finglass
Brev.

professions of resolution and fidelity. The district of Meath in particular was almost exhausted of its English inhabitants, who enabled Richard to appear in London at the head of a gallant and formidable troop. He was declared successor to Henry in a parliament surrounded and intimidated by his united forces. Margaret, that intrepid and indefatigable princess prepared to oppose him. He hastened to suppress the rising disorder, but found it already too powerful for his arms. With five thousand men, mostly composed of his Irish followers, he was encountered at Wakefield by twenty thousand, and in this unequal contest fell, with numbers of his adherents, upon the field of battle.

Ann.
Ferbie.
MS.
Davis.

THE consequences of this fatal action to the English interest in Ireland, were but too quickly perceived by the old natives. They considered it as a final determination of the English power, and proceeded each to possess himself of the lands which were abandoned by the English, or were indefensible by their weakness, so as gradually to circumscribe the bounds of the English province. Meath was desolated by incursions from Leinster and the North; and, in a state of anarchy and public consternation, the only method to secure peace and protection was to treat with the turbulent Irish chieftains as superiors. The insurgents of Leinster received their pensions and consented to lay down their arms. The same method of pacification was pursued in other quarters of the island. O'Nial in the North, O'Brien and Mac-Arthy in the South, and other chieftains received annual tributes from their English neighbours. Their pride was fully gratified by what they deemed the great mark of sovereignty; and the English as a particular sept, were suffered to live unmolested, under the protection of other particular septs, who pursued their own private contests undisturbed, with a fastidious disregard to the affairs of the Saxons, (as they were called.)

Arch.
Lamb.
MS.

Ann.
Ferbie.
MS.

It

It is indeed generally imagined and represented, that the bloody wars between the families of Lancaster and York, had a violent and dangerous effect upon the native Irish, in exciting them to a general confederacy, and raising their whole powers against the English pale. But we have, from their own annalists, more particular accounts of the transactions of the distinguished septs, at this period, than these jejune remains usually afford. And had any considerable attempts been made against the English, these writers would have gloried in displaying them. They tell us indeed of some petty insurrections against particular settlements of the English, and record, with triumph, that they were averted by the payment of tribute. But they are particular in relating the contests, invasions, and engagements, in which their chieftains were involved with each other, which are generally so futile, and sometimes so horrid, as to raise no suspicion of art or fallacy in their annalists. The representations made in England of this people and their conduct, were generally false and interested, to magnify the zeal of the great lords, to procure remittances for a chief governor, or to conceal the offences and irregularities of either. The English vicegerents, even of the very best dispositions, were kept in ignorance during their residence, and shut up in the seat of government from any knowledge of the native Irish, or any general intercourse even with the most peaceable among them. They received their information through corrupted channels: it was transmitted and believed. But the truth is, that the contest for the crown of England during this period of carnage, had its principal effect, in Ireland, on the great lords entrusted with the administration, or possessed of power and influence. Vicegerents unnoticed, and unrestrained by the throne, were tempted to exercise their authority with an intemperate and unjust severity. Slight pretences, or false representations, served for loading the subjects with oppressive taxes.

Different

Different parliaments were summoned at the interval of a few months, and repeated subsidies imposed, without necessity, and beyond the abilities of the people. A grievance so flagrant and so severe, that by a law made in the thirty-fourth year of this present reign, it was forbidden to hold more than one parliament in a year; and if the chief governor should issue his writs for summoning another within the year, it was enacted, that the persons summoned might without peril refuse to appear, and that the acts of such a parliament should be void. The law, however, was but temporary, to continue for three years. The great lords, who were ever rivals to each other, were at the same time less restrained; and by mixing in the contests of England enflamed their resentments, and were ready to rush against each other in all the phrenzy of political and personal animosity.

C H A P. III.

Intelligence received of the deposition of king Henry the sixth....Kildare chief governor....Is removed....Fitz-Eustace deputy to the duke of Clarence....Death of the earl of Ormond....His brother seeks refuge in Ireland....His faction rises against the government of the new king....Defeated by the earl of Desmond....Power and pride of this lord....He is created lord deputy....Marches against the insurgents....Is taken prisoner, and rescued....His enemies take advantage of his disgrace....His quarrel with the bishop of Meath....His parliament....Their partiality to the deputy....His departure to England....Returns to his government in triumph....Marriage of king Edward the cause of the earl's ruin....Tiptoft, earl of Worcester, lord deputy....Desmond disgraced....His adherents prosecuted in parliament....Act of attainder against the Geraldines....Desmond beheaded....Earl of Kildare restored by the king....Invested with the government of Ireland....Obsequious compliances of Irish parliaments....Institution of the Fraternity of Saint George....Revival of the house of Ormond....Kildare removed from the government....Suddenly restored....Refuses to deliver the sword to lord Grey....Public confusion....Rival parliaments and councils....Kildare restored to the government....King Edward's instructions for the administration of Ireland....Encreasing power of Kildare....His alliance with Conn O'Nial....His influence during the reigns of Edward the fifth and Richard the third.

WHEN the first commotion in Ireland, raised by the fatal action of Wakefield, had once subsided, the king's council proceeded to exercise their ancient right of electing a governor until the royal pleasure should be known, and on this occasion

demonstrated their affection to the house of York; for Thomas, earl of Kildare, was chosen lord justice, and by virtue of his appointment, immediately summoned a parliament at Dublin. It was prorogued; intelligence arrived that Henry had already been deposed, and Edward the fourth seated on the throne of England: two further prorogations were deemed necessary: In the mean time Kildare was confirmed in his station by patent from the new king; and the acts of his administration exercised in the name of Henry the sixth, were afterwards confirmed and ratified in the Irish parliament. His commission was however speedily superseded by the appointment of George, duke of Clarence, to the lieutenancy of Ireland for life. To reward the adherents of the reigning family, in this kingdom, Sir Rowland Fitz-Eustace, lord treasurer, was created baron of Portlester, and Sir Robert Barnwall, baron of Trimbleston; the first of these was entrusted with the administration of government, as deputy to the king's brother; and by the acts of his parliament, appears to have conducted himself with a laudable attention to the ease and security of the subjects, and to the correction of the usual abuses and disorders of these early periods.

THE earl of Ormond who had been one of the first victims to the revenge of the triumphant Yorkists, was attainted and executed upon a scaffold. The Irish parliament, echoing the sentiments of their associates in England, and eager to express their loyalty and affection to the king, passed an act for the attainder of the late dukes of Somerset and Exeter, John, late lord of Rosse, James, late lord of Wilts and Ormond, John de Ormond knight, Thomas de Ormond, and many others of the family of Butler, for adhering to the king's enemies. Yet this could not deter Sir John, brother and heir of the late earl, from making trial of the strength and attachment of his Irish adherents. He fled into Munster, from the fury of his enemies, with

no inconsiderable train of followers from England, who, in the desperate state of the Lancastrian interests, sought refuge under his protection, in a country where the name of Ormond could still call together a numerous body of dependents. These flocked round him on his arrival, professed the most ardent zeal for his service, and soon flattered him into an opinion, that he was powerful enough to bid defiance to the usurper's Irish deputy, and to assert his own rights as well as those of the dethroned king. Hostilities were thus commenced, which Fitz-Eustace might have found it difficult to repel, had not the earl of Desmond been zealous to take arms against the enemies of his royal master, and the rivals of his house. He collected his followers, to the number of twenty-thousand, (if we may believe the declarations of parliament,) and, without demanding any assistance from government, marched against the insurgents, trusting for the support of his army, to the usual method of arbitrary imposition, which the severest legal restraints never could abolish. His conduct, however, which appears not to have been equal to his spirit, gave the advantage for a while to the Ormondians. His brother Gerald was made their prisoner; they pierced into Leinster, and possessed themselves of Wexford; but, agreeably to the romantic usage of their time, instead of gradually pursuing their advantage, they rashly accepted the challenge and defiance of Desmond, and consented to engage in a pitched battle. Here they were to encounter numbers much superior to their own; and had the mortification to receive a signal overthrow. They were driven from their conquests, and vigorously pursued into their own territories. Kilkenny, and others of their towns, were seized and plundered, the lands of their adherents were exposed to the severest military execution; and although they had received a reinforcement from England, they still found it necessary to shelter themselves from the rage of a victorious enemy,

Stat. 3.
Ed. IV.
c. 68.

Arn.
Ferbis.
MS.

enemey, in their distant forts and most inaccessible stations.

Ann.
Ferbis.
MS.

SUCH was the success of the only effort made in Ireland to oppose the prevailing faction of York. The triumphant Desmond was now appointed lord deputy, in reward of his distinguished service, and thus united the authority of government to his own personal consequence. The inexperienced young lord (for such he was) grew giddy with success and exaltation. The Irish natives and degenerate English, their associates, crowded round him in considerable numbers, more from attachment to his person, than respect to his commission; so that, as if still on his own lands, he had his motley train of followers, and supported the appearance of a prince or leader of a sept. But the enemies of his house were provoked at the success of his arms, and mortified at his present greatness. They watched the suspicious parts of his conduct with severity, and industriously whispered their jealousies. To embolden them to propagate this disaffection, they had the malignant satisfaction of obtaining new pretences for complaint. The sept of Melachlin; the ruling Irish family of Meath, had, on some real or pretended provocation, been invaded by Petit, one of the most ancient English settlers in this district; and in revenge of his depredations rose up in arms. Although they were powerful enough to oblige Petit to atone for his offence, by an extraordinary composition, yet their incursions once provoked, could not be immediately repressed. Particular parties still continued their ravages, and by success soon became considerable enough to command the attention of the lord deputy. He collected some forces and marched against the plunderers, with a contempt of their power. But the neighbouring clans flew to their assistance with such speed, that instead of dispersing they gave Desmond battle, and with such success, that his troops were totally

totally routed, and he himself, with several of his most distinguished followers, became their prisoners.

THE Irish were disposed to treat Desmond with ^{Ann.} the respect usually paid to one of their own great ^{Ferbis.} chieftains; and happily, that son of O'Connor of ^{MS.} O'Fally, who on a former occasion displayed so generous a concern for the safety of his father, considered the noble prisoner as his kinsman, by fosterage, or some of those artificial bands of connexion, held so sacred by his countrymen, and which, in despite of laws, had in several instances united them with English families. He had now a fair occasion to repay the indulgence shewn to his father; and he had generosity to embrace it. He conveyed Desmond, (his brother, as he called him,) to a place of security, and dismissed him with a considerable number of his followers. But although he was enabled by this mortifying act of kindness to regain the seat of government, yet such was his weakness and consternation, that the enemy was encouraged to collect from different quarters round the helpless settlers of Meath, and to ravage them without control; while the sept of O'Brien issued from the South, and crossing the Shannon, in a formidable body, ravaged and expelled the English settlers of Munster, practised secretly with the Irish of Leinster, and seemed on the point of forming a general confederacy with these, as well as the insurgents of Argial and Breffney, so as to overwhelm the whole English pale. Desmond had no other method of averting the danger but that of a treaty with his enemies. The chieftain, O'Brien, was left in possession of a considerable part of his conquests, and an annual tribute of sixty marks secured to him from the citizens of Limerick: and having thus provided for his own particular interests, the real object of his attention, he returned to his usual residence, in all the pride of an Irish Prince, leaving his countrymen to make the like compositions with English government.

SUCH

Such mortifications naturally diminished the consequence and popularity of Desmond, and afforded matter of particular triumph to his enemies. They now inveighed against his administration with less reserve, his suspicious intercourse with the Irish, his illegal and oppressive exactions upon the English, for the support of inglorious expeditions, his pride and affectation of royalty, his precipitate weakness in war, his disgraceful compositions with the enemy; and while they affected to lament the misfortunes arising from his misconduct, secretly exulted over his declining greatness. An accident soon conveyed their complaints to the ear of Desmond. Among the disordered crowds which usually attended him, a petty brawl was raised in the neighbourhood of Dublin, in which nine of his followers were slain. The bishop of Meath was represented as the instigator of this quarrel, and the utmost violence of resentment, in consequence, denounced against him by the deputy. The prelate recriminated with equal warmth, and inveighed loudly against the conduct of the earl. He accused him as the oppressor of the subjects, and the violator of the laws; the deputy, with still greater violence, accused the prelate of sedition and disloyalty; the quarrel grew by degrees to such consequence, that each party threatened to lay their complaints before the throne: the bishop first sent his agents into England to make such representations as were best suited to his purposes; and then, while Desmond was employed in holding a parliament, repaired to the court of Edward.

Ann.
Ferbis.
MS.

Stat. 3.
Edw. IV.

Ibid.

In this first parliament convened by Desmond at Wexford, we find a statute enacted securing the privilege of members, occasioned by a suit at law, commenced against Barnwall, a zealous Yorkist, and calculated expressly for his interest. That for regulating fees in the king's courts hath a more equitable appearance, and a third for suppressing clipped money, was followed by a new coinage and a new regulation,

regulation, which the poverty of the kingdom had rendered necessary, whereby every denomination of coin was raised, one fourth above its former value and present currency in England. The most zealous attachment to the deputy was expressed in this assembly. As he had declared his intentions of repairing to England, they empowered him to name a vicegerent during his absence. A citizen of Drogheda who, as their act expresses it, "had passed into England, and there of malice propense, had accused Thomas earl of Desmond, the king's deputy, for extorting coyne and livery from several inhabitants of Meath, and was of counsel and support to several traitors and rebels, to the great slander and rebuke of the said deputy, was ordered to surrender himself to the constable of the castle of Dublin; and in case of default, his lands and goods were declared forfeit." The better to support his government, they pursued the usual method of a resumption of offices: and their long series of futile laws was closed with an address to the king in favor of the earl of Desmond, in which his services against the Ormond faction are represented in the most favorable view, and an extraordinary degree of merit ascribed to him, even from his transactions in Meath. While they suppress the disgraceful part of his military conduct, they dwell upon his policy and discretion in reducing the enemy to a treaty; and conclude with imploring the king's highness to give no faith or credence to any accusers of the earl, but to entrust the administration of government, and the revenues of the kingdom, solely to his direction.

With such honorable testimonials of his good conduct, Desmond repaired to England, and was graciously received by the king. His enemies were discountenanced, and their accusations dismissed. He returned to his government in triumph; and in the pride of royal favor, was less cautious to guard
 Ann.
 against the secret practices of enemies, who, how-
 Ferbia
 MS.
 ever

Stat. 5.
Ed. IV.

A. D.
1405.

ever disappointed in their attempts, were still implacable. His short excursion seems to have reformed his notions, and inspired him with schemes of polity more favorable to the English interest. In his subsequent parliament, we find the statutes particularly calculated not only for the defence of the pale, but for refining the manners of its inhabitants, and forming them by the English model. The Irish permitted to reside among the English subjects, were obliged to assume the English garb and fashion of the hair, to be sworn liege men to the king within one year, and to take English surnames. Every inhabitant was bound to use the long bow. A constable was appointed for every town, where butts were to be erected; and all from the age of sixteen to sixty to be exercised in archery on every holiday. And to prevent the Irish districts from receiving any assistance or supplies from other countries, all fishing on their coasts was absolutely prohibited, unless by special licence from the king's deputy.

BUT while the earl thus administered his government in the full tide of power and prosperity, his enemies, far from relenting, were the more enflamed by their disappointment; and new incidents at the court of England served to give free course to their virulence, and to precipitate his ruin. The marriage of the king with Elizabeth Grey, attached him closely to her family. Her father, lately created earl of Rivers, was to be still further dignified with the place of lord high constable of England; and Tiptoft, earl of Worcester, who resigned it in his favor, was consoled with the office of lord deputy of Ireland, attended with the most honorable and extensive powers: an event which afforded particular triumph to every adversary of the Geraldines. Their rivals for influence and authority, the secret enemies of the English faction which they espoused, all those who had been insulted by their pride or injured by their power, crowded to the new govern-
or

or on his arrival, inveiged bitterly against this aspiring family, representing the conduct of their late deputy in the most offensive colours, and clamorously demanded justice against the lawless oppressors of the king's subjects. It was even alleged that Desmond intended to renounce his allegiance, and to make himself independent sovereign of Ireland: nor was the falsehood of this charge detected, until it had already produced its effect. Tiptoft was provoked and alarmed, and listened to such accusations without reserve.

Stat. 7.
Ed. IV.
c. 49.

THERE is a tradition recorded by the Irish, that Desmond had particularly offended the new queen by some disrespectful observations on her family, which so provoked her resentment that his successor had secret instructions to examine strictly into the conduct of this earl, and to execute the utmost rigour of the law upon him, should he be found in any respect obnoxious to its power. However this may be, Tiptoft was certainly disposed to treat him with rigour and severity; and the designs of his enemies were ripening to execution. A parliament was convened at Dublin, which affected to support the interests of the crown by more vigorous ordinances than had usually been made. It was enacted, that whereas the liege people had been heretofore reduced to pay a tallage called Black-Rent to the Irish enemy and English rebels, such tallage should for the future be paid to the king's deputy, for the better sustenance of his army; an act merely calculated to reflect disgrace upon the treaties lately made by Desmond: any attempt to execute it must have produced the most desperate and dangerous insurrections. Another statute of this parliament deserves some notice, whatever might have been the motive for framing it, as it formally and expressly defines the right of dominion in Ireland; and rests the sovereignty of the crown of England on the only foundation which these times acknowledged. In all the indentures of the Irish, executed on their sub-

Stat. 7.
Ed. IV.
c. 6.

c. 6.

Stat. 7.
Ed. IV.
c. 9.

c. 10, 11.

c. 17.

submissions to the chief governor, there is an express provision, that in case of any violation of their compact, they will submit to the excommunication of the church. The Irish bishops, situated at a distance from the seat of government, were not always ready to denounce this formidable sentence against their countrymen. Tiptoft, with more of the dignity of station than real power, procured an ordinance to the following purport:—"Whereas "our holy father, Adrian, pope of Rome, was "possessed of all the signiory of Ireland, in right "of his church, which for a certain rent he alienat- "ed to the king of England and his heirs for "ever; by which grant the subjects of Ireland owe "their obedience to the king of England, as their "sovereign lord; it is therefore ordained, that all "archbishops and bishops of Ireland, shall, upon "the monition of forty days, proceed to the ex- "communication of all disobedient subjects; and "if such archbishop or bishop be remiss in doing "their duties, in the premises, they shall forfeit one "hundred pounds." The flatterers of Tiptoft, and the enemies of his predecessor, affected to exult in such appearances of a vigorous administration; but for the present contented themselves with prosecuting the friends of Desmond, and discharging others who had been prosecuted during his government.

THE parliament was adjourned to Drogheda*. And here the enemies of the Geraldines gave free scope to their resentments. Too powerful and too well supported to have any occasion for further reserve, they in the first place procured an act "for attainting of treason, Thomas earl of "Desmond, Thomas earl of Kildare, and Ed- "ward

* Of a number of laws passed in this parliament, two only are printed; one of them remarkable. It appoints the English statute against rapes, of the sixth of Richard the second, to be of force in Ireland, and that all statutes made in England be adopted and made current in this kingdom.

“ward Plunket, esquire, for alliance, fostering
 “and alterage with the king’s Irish enemies, for
 “furnishing them with horses, harness, and arms,
 “and supporting them against the king’s subjects;
 “declaring their lands and goods forfeit, and that
 “whoever shall not discover their goods to the earl
 “of Worcester, within fourteen days after the ris-
 “ing of parliament, shall be attainted of felony.”

Stat. 13

Ed. IV.

Kildare was imprisoned, but either contrived to escape, or was afterwards released. Desmond, relying either on his innocence or his power, had the hardiness to repair to the chief governor to justify his conduct; but, to the astonishment and confusion of his party, was instantly brought to the scaffold and beheaded. The execution of this unhappy lord may be regarded as one of the melancholy effects of those factious animosities which ever subsisted among the Irish subjects of greater rank, and by which the English interest had been frequently endangered. The laws on which he was condemned, had neither been uniformly obeyed, nor strictly executed. If he had exacted coyne and livery, (which, by the way, is not at all urged against him in the act of attainder,) the imposition had been frequently practised without question or controul; and they who in this respect were more obnoxious, had not only been unimpeached, but enjoyed a considerable share of royal confidence and favor. If he had corresponded with the enemy, the interests of his government might have been pleaded for it; and the distresses and necessities of the state, superior to all written laws, might have forced him to such concessions, as a malicious interpreter of dormant statutes might have easily construed into a treasonable support and assistance.

Ann.
Ferbia:
MS.

A. D.

1468.

SOME ineffectual attempts were made to revenge the death of this earl, by Gerrat, one of the surviving branches of the family of Desmond, for which he was attainted. But the enemies of this house enjoyed but a short-lived triumph. Kildare, who had escaped to England, boldly repaired to the king,

Stat.
Ed. IV.
c. 69.

Stat. 8 Ed. IV. c. 57. urged the injuries done to his family, pleaded their services to the crown, and was so favorably heard, that he received his pardon. The very parliament which condemned him, proved so obsequiously submissive to the royal pleasure, that they passed an act, reversing his attainder, and restoring him to his estate and dignity. To complete his triumph, he was soon after constituted lord deputy, in the room of Tiptoft, who was called away by the disorders of England, and there suffered by the same sentence which he had executed upon the earl of Desmond.

A. D. 1470. THE Geraldines were thus once more constituted, and for some time continued the ruling family among the English subjects. The new deputy, as usual, summoned his parliament, easily composed, as he directed, and ready to echo the dictates of his passions. They began with condemning and reversing some ordinances made in the sessions of the earl of Worcester; and in particular repealed all acts in prejudice to the earl of Kildare. They declared, that whoever shall secrete or refuse to give intelligence of the goods belonging to the late deputy, shall be outlawed, and these goods they vest in their present governor, as a compensation for his imprisonment and other damages sustained. To intimidate his opposers, and to defeat their hopes and purposes, the acts and grants made by Kildare in one session, are formally confirmed, and pronounced irreversible in the next. Sir John Cornwallis, baron of the exchequer, who had warmly arraigned his administration in the council, and attempted to form a faction against him in the city of Dublin, was treated with the severity due to an high crime and misdemeanor. He was deprived of his office, declared incapable of receiving or holding any office in Ireland, and his lands seized into the king's hands during his life. But as an opposition, however weak and discouraged, sometimes proves of service to the public, Plunket, one of the most devoted
creatures

Stat. 10.
Ed. IV.

Stat. 13
Ed. IV.

creatures of the governor, was so boldly accused, and so clearly convicted of extortion and oppression, in his office of senechal of the liberty of Meath, that the deputy was obliged to pass an act, dismissing him from his charge, and annulling this liberty for ever. But what the earl could not do for his friend and favorite in parliament, he endeavored to effect by representation to the king. Sir Robert Bold, created in this reign baron of Ratoath, was dispatched to England with advices from the deputy and council, of several particulars relative to the state of Ireland, and returned with such instructions as Edward judged necessary, from the informations laid before him. Among other particulars, he recommended that the liberty of Meath should be restored, and Plunket reinstated in his office. Cornwallis, who seems to have led the opposition, alleged these instructions to be a forgery. His charge was heard in council, and declared to be false and scandalous. In the ensuing session of parliament, the king's pleasure was most obsequiously fulfilled. The act relating to the liberty of Meath was repealed, and Plunket restored to his office. Such proceedings may be deemed unworthy of particular notice; but if those transactions which mark the temper and disposition of the Irish parliaments, and the factions which subsisted in the state during this reign, be recorded too minutely, it is for the sake of those consequences which they produced, and which will be better understood, by tracing their gradual progress and operation.

On the restoration of Henry the sixth, by the vigor of the earl of Warwick, the duke of Clarence had been created, by a new patent, lord lieutenant of Ireland for twenty years: but no change had been made in the actual administration of Irish government by this short-lived revolution. Kildare was continued in the station of lord deputy; and when he had first laboured to establish the interests

Rymer.
Tom. ii.
p. 693.

of

"goodliest knight, said Edward, and finest gentleman in Christendom; and if good breeding, nurture, and liberal qualities were lost in the world, they might be found in John earl of Ormond."

Such favor shewn to him by the king, gave spirit and consequence to his partizans in Ireland. They now ventured to brave their rivals, and being opposed with equal spirit, threatened to revive the whole fury of private and political feuds. They represented the conduct of Kildare as best suited their purposes: and their representations were conveyed to the throne, by Ormond, with all possible advantage. The assiduity with which they practised against the deputy, could not in the end fail of its desired effect. The earl of Kildare was removed from his government; and had the additional mortification to find Shirwood, bishop of Meath, the old enemy of his house, appointed to succeed him. It is scarcely necessary to add, that the parliament summoned by this prelate repealed the act of attainder formerly passed against John, now earl of Ormond, and declared him fully restored to his estate and dignity.

THE triumph of the family and faction of this house being thus completed, ancient quarrels were re-kindled, and obsolete pretensions revived; the flame of discord was spread through the several partizans of the great lords, and threatened to involve the whole English territory, if not the whole island, in a desperate combustion. Repeated complaints and alarming representations were conveyed to the king, of the distracted and dangerous state of Ireland; but Edward could only send his commission to the archbishop of Armagh, to act as umpire between the contending parties, to enquire into the causes of such alarming discord, and to adjust and determine them in the fulness of royal authority. What was still more prevalent than this mandate, a sudden fit of superstition drove the earl of Ormond into a pilgrimage to the Holy Land; and about the same time Thomas earl of Kildare ended his life, which

Stat. 15.
Ed. IV.
A. D.
1475.

Rymer,
Tom. xii.
p. 44.

Carto.

which for a while allayed the animosities of those leading families; but at the same time gave occasion to new competitions for royal favor, and authority. The bishop of Meath was requested by the parliament to repair to the king, and to inform him authentically of the dangers and disorders of the state. The Geraldine faction, who dreaded the consequence of his representations, endeavored to defeat them; addresses were procured from their partizans in opposition to the deputy and parliament; the parliament thundered out their resolutions against this unwarrantable proceeding; and whatever was the vigilance and integrity of the bishop, such discord seemed to have cast dishonor on his administration, and to have diminished his consequence with the king. At least we find, that after a weak and distracted government of about two years, the administration of the kingdom reverted once more to the family of Kildare; and Gerald, the young earl, was appointed lord justice to the king. But scarcely had this appointment been made, when Edward found reason to repent of it; and possibly conceiving, that among the never-ceasing factions of Ireland, no native could be found of sufficient impartiality to conduct his government, without complaint or murmuring, he constituted Henry lord Grey, deputy to the duke of Clarence, and sent him into Ireland, attended with a train of three hundred men at arms, and a company of archers, as the most effectual means of giving weight and authority to his government.

Stat. 16.
Ed. IV.
A. D.
1476.

Stat. 18
Ed. IV

Rymer,
Tom. xii.
p. 89.

THE nobility of Ireland felt their pride too deeply wounded, and their fears too violently alarmed, to receive the English deputy with the least degree of favor. Some informality was discovered, or pretended, in Grey's commission. Kildare refused to obey the king's letters of dismissal, authenticated only by the privy signet. He continued his state, summoned and prorogued his parliament, and acted in every particular as the rightful governor. Port-
lester,

Stat. 18
Ed. IV.

lester, the chancellor, withdrew with his great seal ; and Keating, prior of Kilmainham, a turbulent ecclesiastic, refused to admit Grey into the castle of Dublin, of which he was constable, fortified it against him, and repelled his train. Grey convened his assembly as the only regular and legal parliament ; annulled the acts passed in that held by Kildare, declared the great seal in the hands of lord Portlester to be cancelled and void, and, if not resigned, directed a new seal to be made. Keating was summoned to surrender, and to repair the damages he had made in his castle, on pain of being deprived of his benefice. The death of the unhappy duke of Clarence, by which the place of lord lieutenant of Ireland became vacant, served to encrease these contests. Edward conferred the office on his infant son George ; and Grey, by a new commission, was appointed his deputy. But in the mean time the Irish lords in opposition, seem to have taken advantage of this incident, and to have proceeded to an irregular election of Kildare into the office of chief governor, in an assembly purporting to be the king's council. The flame was thus rekindled, between rival governors, contending parliaments, and opposite privy councils. The parliament convened by Grey, exerted all their authority against the factious proceedings of their opponents. They made a law that the election of a justice for the future, should be by the king's council, assembled in one body, the archbishops of Dublin and Armagh, bishops of Meath and Kildare, mayors of Dublin and Drogheda, and all lords, spiritual and temporal, of the four English counties. All other forms of election were declared null and void.*

SUCH

* This law was nothing more than a restoration of the ancient and regular manner of election, as appears from an act of the second of Richard the third, in which the right of chusing a governor in time of vacancy is founded " on a statute of Henry Fitz-Empress, and agreeably to the tenour, usage, and execution of the said statute, vested in the

SUCH alarming representations were made to Edward of the anarchy and confusion which subsisted in the state of Ireland, of factions among the nobles, misconduct in his officers, irregular parliaments, pernicious statutes, and oppressive subsidies, that he deemed it necessary to summon the earl of Kildare, the archbishop of Dublin, and some others, to attend him in England, to inform him distinctly of the nature and causes of such disorders, and to receive his instructions for allaying them. Lord Grey either proved unequal to the conduct of a distempered state, or was unwilling to be longer embroiled in the contentions of Ireland. He returned to England, and Preston lord Gormanston, was appointed his successor. But this appointment was not, nor doth it seem intended to have been, permanent; for on the return of those whom the king had summoned into England, Preston resigned to Gerald earl of Kildare, whose representations had been so satisfactory, and his influence so highly estimated, that he was again entrusted with the government as deputy to Richard duke of York, who had succeeded to the office of lord lieutenant on the death of prince George. He was commissioned to hold his office for four years*, to have a standing force consisting of one hundred and forty horsemen; and if the Irish revenue should prove unequal to this establishment, he was to be supplied from England. Such was now the miserable condition of this revenue. A small troop, the annual expence of which was estimated at five hundred

Rymer, t. xii. p. 69.
H. p. 109

VOL. II. I pounds,

“ the council, with the assent of the nobles of this land; as is specified in the same statute of Henry Fitz-Empress.”

* Cox takes notice that the earl's commission was by patent from the duke, under the king's privy seal; the very same form of appointment, to which the Irish council, or that part of it which assumed the name and authority of the whole, had objected but just now in the case of lord Grey; and to which they refused to pay obedience,

pounds, was suspected to be too considerable for the resources of Irish government.

KILDARE was dismissed to his charge, with full instructions from the king to compose the disorders of the late short and tumultuous administrations. The controversy between two contending assemblies, each purporting to have been the legal and regular parliament of the realm, was submitted to the decision of the king; but instead of pronouncing peremptorily in favor of either, we find him directing what acts made by either he deems necessary to be established or annulled in the ensuing parliament, and pointing out such other provisions as the interests of the crown, or the welfare of the state required. These directions were attended with special instructions to his officers of state, who, among other particulars, were enjoined not only to remit and forget all their own malice and ill will expressed to their opponents, but to labour to the utmost to compose all variances among the king's subjects. Among other instructions to the lord deputy, we find it particularly enjoined, that in no parliament to be hereafter holden there, shall more than one subsidy be demanded in a year, and this not exceeding the sum of one thousand two hundred marks, as hath been accustomed. And to prevent those factious divisions which had lately subsisted in the council, and those irregularities which had been screened under its pretended authority, he directs that for the future nothing should be taken in strength as an act of council, unless the king's lieutenant or deputy give his assent thereto, by advice of the most part of the king's council there, that is to say, the chauncellor, treasurer, chief justice, chief baron of the exchequer, clerk of the rolls, and king's serjeant.

Rot. 19.
Ed. IV.

Stat. 19.
Ed. IV.

In the next parliament, convened by the earl of Kildare, we find particular attention paid to the king's instructions; and at the same time such confidence reposed in the deputy, that in passing an act

act for the resumption of grants and offices, he is empowered, upon the adjournment or prorogation of parliament, to make such exceptions in favor of particular persons, as he shall judge proper. He now enjoyed his pre-eminence unrivalled, and proceeded in the usual course of administration without any considerable difficulty or interruption; guarding the four English counties, and regulating the affairs of this district, the great object to which the attention of every governor was at this period confined, and to which the opposition of the native Irish was but casual. With these he had greater weight and favour than any lord of English birth. And to increase his influence and to improve their friendly dispositions, his sister was given in marriage to Con O'Nial, son to the chieftain of the North, distinguished by that name, the first in pride and power of the Irish lords. The husband on this occasion was by an act of parliament declared a liege subject of the king, and completely invested with all the rights annexed to this character. But such alliances served to attach the Irish rather to the family with whom they united, than to the crown of England. The interest and power of Kildare thus increased, afforded an additional reason for continuing the reigns of government in his hands. As deputy to the king, he exerted himself with peculiar vigour in repressing all predatory incursions on the English pale, and chastising the delinquents with such severity, as struck a terror necessary to be impressed on a turbulent and lawless people. As a lord, the first in power and following in Ireland, he is represented by the Irish annalists as taking a considerable part in the local quarrels of the old natives, and frequently deciding their competitions in favor of his own faction. In this state of power and authority, he continued to exercise his government without interruption, during the remainder of the present reign, the succession of Edward the fifth, and the usurpation of Richard, a period which exhibits

Stat. 20
Ed. IV.

A. D.
1480.

Stat. 2. Exhibits nothing more of Irish affairs than the un-
 Rich. III. interesting contests which the old natives still contin-
 c. 13. ued to maintain against each other, and the usual
 provisions for the defence and security of the Eng-
 lish settlements. The acts of the Irish parliaments,
 convened in the reign of Richard the third, plainly
 shew the great influence of the deputy, and express
 an extraordinary attention to his interest and the
 dignity of his government. One act of subsidy men-
 tions a confederacy of Irish enemies to make war
 upon the king's subjects; but such expressions are
 to be understood with great restriction. The Irish
 septs were still unconnected, and their attention
 confined chiefly to their own local interests. Several
 lived peaceably in the English countries, and
 some received pensions in reward of their services in
 repelling invaders. Others indeed maintained an
 independent state, even in the very neighbourhood
 of Dublin: so that a parliament, convened by the
 deputy, deemed it necessary to relax the severity of
 former statutes, and to empower the archbishop of
 Dublin to present Irish clerks to benefices within
 their districts, for the space of two years. They
 found employment for the valor and vigilance of
 Kildare; but his resources were abundantly suffi-
 cient for repressing such insurgents.

C H A P. IV.

Accession of Henry the seventh displeasing to the Irish subjects Kildare continued lord deputy, and the Yorkists still employed in Ireland Motives assigned for this conduct Unricalled power of the earl of Kildare Discontents in England Henry alarmed Apprehends some secret plots in Ireland Summons Kildare to attend him The earl evades the mandate Simnel assumes the character of Richard duke of York Is commanded to personate the earl of Warwick Real policy of this sudden change He arrives in Dublin Is received by the deputy, and favoured by all the Yorkists Is acknowledged and proclaimed king Is opposed by the Butlers and the city of Waterford Assisted by the dukes of Burgundy Arrival of the lords Lincoln and Lovel in Ireland Two thousand German troops sent to the assistance of Simnel His coronation An Irish parliament summoned, and the government administered in his name His interest in Ireland really weak He is attended into England by a great body of partizans Engagement at Stoke Valor and slaughter of the Irish forces Simnel taken prisoner Submission of his Irish adherents Apparent lenity and real policy of the king Kildare continued in the government Sir Richard Edgecombe sent into Ireland Kildare treats haughtily, and receives his pardon upon his own terms Attends the king at Greenwich, with other lords of Ireland They are dismissed with marks of favor Conduct of Kildare on his return to the government Laconic letters of two Irish chieftains Plot of Perkin Warbeck Kildare removed Warbeck arrives at Cork Supported by the earl of Desmond Called into France House of Butler restored to power Dangerous feuds Administration of archbishop Walter He is summoned into England Instance of his simplicity.

plicity . . . Clamors against the government of lord Gormanstown . . . The earl of Kildare asserts his loyalty before the king . . . Sir Edward Poynings appointed lord deputy of Ireland.

THE defeat and death of Richard the third, a prince whose evil qualities had not been experienced, nor were generally understood by the Irish subjects, and the accession of Henry the seventh, a descendant of the Lancastrian line, were events by no means favorably received in Ireland, where far the greater number of noble families were zealously attached to the house of York. They heard the intelligence of this revolution with the gloom of helpless discontent; and, like the majority of subjects in England, hated the government which they could not subvert. To cast some shade on the defects of his titles to the throne, the ceremony of his coronation was hastily performed, and among other creations, previous to this solemnity, his uncle, Jasper, earl of Pembroke, was made duke of Bedford, (a title which had remained dormant since the death of the illustrious duke, brother to Henry the fifth,) and this nobleman was appointed to the office of lord lieutenant of Ireland.

THE titles and emoluments annexed to the government of this kingdom, had for a considerable time been conferred on some prince of the blood, who resided in England, and acted by a deputy; and as the appointment was now continued in the same channel, it became in the next place necessary to provide for the actual administration of Irish government. On this occasion, to the astonishment of those who were acquainted with the circumstances of this kingdom, the earl of Kildare was continued lord deputy, his brother Thomas, lord chancellor, Rowland lord Portlester, another zealous Yorkist, suffered to enjoy the place of treasurer; and the old officers of state and former privy council continued, without change or addition.

THE officers of state, indeed by an act of the Irish parliament in the second year of Richard the third, had been adjudged to hold their respective places during life; nor was there now leisure or opportunity for an act of resumption. But historians affect to condemn the improvidence of Henry, in not at least adding some of the Lancastrian party to the council. Possibly he might not yet be perfectly informed of the real dispositions of his Irish subjects, or have conceived that any sudden changes in the state might be tampering with a political constitution, already weak and disordered. We can scarcely agree with those who ascribe this conduct to an affected dignity of mind, superior to fear and suspicion, when we consider that meanness of jealousy and terror which appears throughout this prince's conduct. But whatever were his motives, this careless inattention to his Irish interests, vested his secret enemies with dangerous power, and proved the means of considerable disquiet to his government.

THE uncontrouled influence of the deputy, and his boundless attachment to his party, immediately appeared in the insolence and violence of one of his most zealous adherents. Keating, prior of Kilmainham, who had already taken a distinguished part in the political contests of Ireland, had in full assurance of support, alienated the revenues, and even sold the ornaments and reliques of his house. He was deprived by his principal the grand master of Rhodes; Lomley, an Englishman of distinguished family, was appointed to succeed him; but immediately on his landing, to take possession of this dignity, was assailed by Keating with a band of armed men, seized, and compelled to resign the instruments of his election. Lomley complained both to the king and to the master; Keating was excommunicated; which so provoked the imperious ecclesiastic, that he again seized his competitor, and by force cast him into prison, in which he languished without

without, redress and died; nor could Keating be dispossessed, notwithstanding his enormous and repeated offences.

THE only nobleman who could have stood in competition with Kildare, was Thomas earl of Ormond; but he was now resident at the court of England, restored by an act of the English parliament to all his honors, and admitted into the privy council. His Irish adherents, though numerous, were by the absence of their chief, deprived of the necessary guidance, and prevented from uniting. The family of Desmond had also been restored, but the earl of this name lived in the enjoyment of his ample possessions, at a distance from the seat of government; and satisfied with his rude magnificence, left the state entirely to his noble kinsman, so far from the least ambition of sharing in any part of the administration, that he accounted it the honor and distinguished eminence of his house, that by law and antient usage, they were exempt from the duty of attending in the legislative assemblies of his countrymen. Kildare, therefore, not only possessed the consequence of a chief governor, but was the only nobleman of Ireland, whose weight and influence could attract the reverence or notice of foreigners.

To such a man, the malecontents of England naturally turned their attention, as an useful instrument, of approved zeal for the interest of the house of York. The severe and impolitic aversion expressed by the new king to all of this party, roused their utmost resentment. They saw the young earl of Warwick, son of the unhappy duke of Clarence, instantly committed to close durance, with an unmanly jealousy; the daughter of their favorite Edward, to whom the king was solemnly affianced treated with coldness and neglect; and when he at length vouchsafed to take her to his bed, that neither her youth, beauty, nor amiable dispositions, could obtain a suitable return of affection, or even a decent exterior

Bacon.
Hen. VII.

rior of respect. Their friends were pursued by severe attainders, forfeitures, and confiscations; their favorite queen, though she had borne a son, yet could not be admitted to the usual honor of a coronation.

By being treated with aversion, their enmity was confirmed; and by observing Henry's anxiety to establish his title to the throne, they were taught that he himself was conscious of its weakness. Murmurs were raised and spread abroad; the king's actions severely interpreted, the most odious suspicion propagated, and countenanced by the ungraciousness and severity of his conduct. It was whispered that with a malignant jealousy equal to that of the tyrant whom he had deposed, he was on the point of putting the young earl of Warwick to death. But they comforted each other with the hopes of a new revolution, as it was confidently reported that one only of Edward's children had fallen a sacrifice to Richard, and that the other had fortunately escaped from the Tower.

THE spirit of discontent found a powerful and dangerous fomentor, in the widow of king Edward, a restless and enterprizing princess, who had displayed her talents for political intrigue during the reign of her husband, had schemed the overthrow of Richard; but now, stung with the neglect and insignificance to which she was reduced, the contempt and coldness with which her daughter was received, and the severe prosecution which her partizans experienced, conceived a mortal hatred to king Henry, and was but too justly suspected of encouraging popular discontents, and forming schemes of faction and insurrection. The secret consultations and suspicious practices of her friends, could not entirely escape the notice of a jealous king and his officious emissaries. Henry was alarmed with imperfect rumors of some plots secretly ripening to execution; Ireland was even pointed out as a place of dangerous intrigue. He was reminded of the

manner in which his marriage with Elizabeth was
 there received: that the dispatches were brought to
 the lord deputy at Dublin, while he was attending
 on divine service, that with the utmost exultation
 he conveyed them to the archbishop, who, in a sud-
 den fit of zeal, ordered the holy offices to be in-
 stantly repeated, with all the solemn forms of thanks-
 giving: that the intelligence was from thence
 spread abroad, and every where received by the
 Irish subjects with such extravagance of tumultuous
 joy, as manifested an universal favor to the house
 of York. He was assured that they had at this
 time some secret designs in agitation to revive the
 claims of this family; and that the earl of Kildare
 in particular was a person from whom especial dan-
 ger might be apprehended. Henry was so alarm-
 ed, that he summoned this earl to repair to his
 court, under pretence of consulting with him about
 the state of his Irish interests. But Kildare easily
 saw through this artifice, was possibly too conscious
 of his secret practices and correspondence with the
 malecontents of England, and too justly dreaded to
 expose himself to the power of a severe and vindic-
 tive prince. He artfully contrived to summon the
 lords spiritual and temporal of the English pale, he
 communicated the royal mandate, urged the immi-
 nent danger of his absence from Ireland, and pre-
 vailed upon them to transmit an address to the king,
 in which they earnestly represented the pernicious
 consequences to be apprehended from the absence
 of their deputy, and entreated that his highness
 would recal his mandate, or at least suspend it, un-
 til the earl should first summon a parliament to de-
 liberate on some points of greatest consequence to
 the state, and to establish some regulations which
 could not with safety be delayed. The earl by this
 measure deemed himself sufficiently authorized to
 defer his journey; and the king at least affected to
 be satisfied, rather than avow his suspicions.

IN the mean time those secret designs, of which Henry had been imperfectly informed, were fully brought to light. A youth called Lambert Simnel, of lowly parentage, but of an understanding above his years, and a deportment superior to his birth, was marked out by an aspiring and turbulent ecclesiastic of Oxford, called Richard Simon, as the instrument of an ambition apparently the most precipitate and misguided. His scheme was nothing less than that of giving a new monarch to England. He entertained Simnel at his house, flattered his inexperience, and taking advantage of the rumour industriously spread, and not discouraged by the king, that Richard, younger son of Edward the fourth, was still alive, prevailed upon his pupil to assume the character of this prince. But this part of the design was quickly changed; a new report prevailed that the earl of Warwick had just escaped from the Tower, and Simnel was again directed to personate this earl. Although his age agreed more nearly with that of Warwick, yet this sudden change appears, at first view, rash and unaccountable, as the part now chosen was much more difficult to be sustained. He was not to personate an infant taken Bacon. from his cradle, and known to few, but a lord entertained at the court of Edward to the age of ten years; one with whom the nobility of the realm had frequently conversed, and were perfectly acquainted. He was to be accurately instructed in many circumstances, and to speak with ease and correctness of various persons and incidents, in which the least failure or mistake must prove fatal to his design. But the truth is, that this scheme, first conceived by a wild and ignorant ecclesiastic, was instantly adopted by persons of much greater consequence and penetration, who sought to excite such a civil commotion as might expel Henry, not to raise Simnel to the throne. Although they had instructed him in the part he was to assume to that perfection which he could not have acquired from the
the

the documents of an obscure priest, and although he sustained it with consummate ease and dignity, yet, to avoid any untoward accident which might produce an immediate detection, it was resolved that the scene of his adventure should be first laid in Ireland, at a distance from severe scrutiny. It was therefore with the utmost propriety that the new part of the earl of Warwick was assigned to him; for, besides the general prepossession of the Irish subjects in favor of the house of York, it was reasonable to presume that they would shew particular affection to the family of Clarence, a prince of Irish birth, and instead of objecting to the supposed earl's pretensions to the throne, would at once open their arms to the son of their countryman.

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SIMNEL and his attendant arrived at Dublin; where the youth presenting him to the lord deputy, in all the dignity of the exalted character he assumed, declared himself the son of Clarence, pathetically related his imprisonment, his escape, the hardships he had sustained, the dangers he had experienced; and inveighing, with a well affected passion, against the usurpation of the earl of Richmond, required his protection for a prince of the blood-royal, and rightful heir to the crown of England. The deputy, who possibly was neither surprised at the application, nor unprepared for it, communicated this extraordinary event to his brother, the Irish lord chancellor, and Portlester, the treasurer, the first a man of enterprize and both zealous partizans of the house of York. They received the adventurer with every expression of respect and affection, and resolved at once to devote themselves to his service. But in order to make experiment of the temper of the Irish subjects, before they declared publicly in his favor, they artfully contrived to have it spread abroad that the earl of Warwick was arrived at Dublin, without any further circumstance, or any account of the intention or declarations of the chief governor.

governor. The citizens at once caught the flame of party zeal, it ran quickly, with the important intelligence, through the Irish quarters; the people ^{Bacon.} almost unanimously declared in favor of the son of Clarence, and in the phrenzy of faction, and the vanity of giving a king to England, never once attended to the legal objections to his title, or the prior claims of Edward's female issue. Octavian de Palatio, primate of Armagh, though a foreigner, and unconnected with the Irish factions, seems to have at first joined in the confederacy, but to have speedily repented, and receded. The citizens of Waterford, the prelates of Cashel, Tuam, Clogher, and Ossory, the family of Butler, and the baron of Hoath, were the only persons not infected with the popular contagion; but utterly unable to defend the interests of the reigning prince, they could but dispatch their emissaries to inform him of the commotions in Ireland. The Irish subjects ^{Ware.} clamored in favor of their new prince; Kildare summoned his council; a perfect satisfaction was expressed in the evidence of his birth and validity of his claim; Simnel was conveyed in pomp to the castle of Dublin, received the homage and acclamations of his numerous adherents with the most gracious dignity, was entertained and treated as a sovereign, and in a few days publicly proclaimed king by the name of Edward the sixth.

HAVING proceeded thus far in his revolt, Kildare was naturally prompted to express his zeal by a rigid treatment of those who were in the least reluctant to comply with him. The citizens of Waterford, who had been spirited by the Butlers and some of the sept of Bermingham his enemies, to oppose the present innovations, were peremptorily required to proclaim the new king. An haughty answer was returned; their messenger in a sudden fit of rage was ordered by the lord deputy to be hanged: they again received his mandate by a herald, ^{MS. Trin.} with terrible denunciations of vengeance, should ^{Col. Dub.} they

they make the least delay or difficulty of complying with his commands; yet still, obstinately firm to the interests of the reigning prince, they and their associates bad defiance to the rebels, and expected and prepared for an invasion.

Bacon.

HENRY's fears were ever ready to take the alarm; and the events in Ireland, notwithstanding the zeal of his few friends in this country, were more than sufficient to give them all their violence. His English ministers were consulted, and schemes formed for his defence. The queen dowager, who was suspected to have framed, or at least to be a considerable agent in the conspiracy, was seized and committed to a nunnery, a severity the more offensive, as it was necessary to recur to a stale pretence, that of her having delivered up her daughters to the tyrant Richard, in order to conceal the real motive and cause of her disgrace. To demonstrate the insatiation of the Irish subjects, and to prevent it from being caught by those of England, the next necessary step was to satisfy the people that the real earl of Warwick was actually in the king's possession. For this purpose his prisoner was taken from the Tower, conveyed through the city of London in open view of all spectators, engaged in conversation with many of the nobility, especially of those most suspected by the king, and who could not plead ignorance of the person of this Plantagenet; and to point the general attention still more distinctly to the young prince, he was conducted to the church of St. Paul in a solemn religious procession, amidst the concourse usually collected on such occasions. But whatever effect this might produce in London, the Yorkists of Ireland rushed too violently into the extravagance of party zeal, to be restrained by such devices. The charge of artifice, and imposture was there boldly retorted upon Henry, who, it was confidently alleged, had imposed on the credulity of the vulgar by an imaginary prince, tricked out in form of the real Plantagenet,

genet, and profanely abused the awful ceremony of a procession, to give some colour to his traitorous falsehood. Emissaries were sent into England, where those, supposed to be most friendly to the house of York, were invited to assist their rightful prince, and soon learned that their cause, notwithstanding the vigilant precautions of Henry, was to receive a powerful support.

MARGARET of York, the second sister of Edward the fourth, and now widow of Charles duke of Burgundy, was a princess of a bold and masculine spirit, childless, rich, popular, and powerful. She had seen the restoration of the Lancastrian line with deep concern, was provoked by the severity with which Henry treated the partizans of her family, confirmed in her aversion to this prince by his contemptuous treatment of her niece Elizabeth, and highly gratified by every event which promised to disturb his reign. If she had not originally assisted in exciting the revolt in Ireland, she was at least known to approve and countenance the design. Nor did the Irish emissaries neglect to make their pressing applications to this princess, informing her of the late transactions in their country, imploring her succour for a cause to which Providence had given a beginning so miraculously prosperous, and which they offered to submit to her will and guidance, as sovereign patroness of their just and pious enterprise.

HER court was now the residence of all the fugitives and malcontents of England. Francis lord Lovel, chamberlain to Richard the third, who had already engaged in an unsuccessful insurrection against Henry, repaired thither on the intelligence of Simnel's first success in Ireland; and was quickly followed by John earl of Lincoln, a nobleman possessed with the most sanguine hopes of advantage from the present disorders. He was the son of John de la Pole, earl of Suffolk, and Elizabeth, sister to Edward the fourth. The partiality of Richard the third, who had formed the design of appointing him successor to

to the throne, if he should die without issue, had inspired him with exalted sentiments, and the severity of the king to all the eminent persons of his party, determined him to seek security in the most desperate counsels. He knew the futility of Simnel's pretensions, but was sensible, that if by his means he could dethrone Henry, the instrument could be easily set aside. He therefore readily obeyed the summons of the duchess of Burgundy, and leaving Sir Thomas Broughton, a trusty agent in England, to manage the correspondence between the male-contents, entered fully into the Irish adventure, and was the great counsellor and assistant to the duchess in concerting measures for the support of Simnel.

Rymor. HENRY, in the mean time, fully informed of these dangerous commotions, took such measures as were in his power to suppress them. Orders were issued for guarding the coasts both of Ireland and Flanders, and preventing any supplies being conveyed to the enemy. Care was taken that the papal bulls, by which the dreadful sentence of excommunication was denounced against all those who presumed to question the right of Henry's succession, should be promulged in Ireland; new complaints were made at the court of Rome, and the pope entreated to exert his spiritual authority against the Irish revolvers. **Ware.** But some bishops only were deterred by the apprehensions of papal vengeance. Another Irish chieftain, of no inconsiderable power, took advantage of the commotions in the seat of government, and ravaged the English pale without controul. Still the lord deputy and his adherents were totally engaged by a more interesting concern, that of deciding the right of succession to the throne of England; and now, to animate their hopes, two thousand veteran troops arrived from Flanders, under the command of Swaart, a valiant and experienced leader, attended by the earl of Lincoln, viscount Lovel, and other considerable malecontents of England.

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THE appearance of such support, inspired the partizans of the young adventurer with the utmost confidence. They recollected the small beginnings from which the invasion made by Henry had become so formidable and successful, and exulted in the superior advantages of their own cause. Uncontrolled in Ireland, except by the impotent dissent of some individuals, they imagined that no great difficulties could be experienced in England and fancied themselves already possessed of sovereign authority, and invested with all the advantages to be expected from a revolution. In the mean time it was resolved to proceed to the solemn coronation of their favorite prince. He was conducted in due state to the cathedral, called Christ Church, attended by the lord deputy and officers of state, the English nobles, and all his other adherents. The bishop of Meath explained and enforced his right to the crown from the pulpit; it was formally recognized by all who attended on the ceremonial; a crown, said to have been taken from a statue of the Virgin, was placed on his head, amidst the acclamations of the people; and from the church he ^{Ware.} was conveyed in pomp to the castle of Dublin, elevated on the shoulders of Darcy, chief of a considerable English family of Meath; a ceremony which seems to have been adopted from the native Irish.

To complete the royal character, the young king issued his writs of summons, and convened a parliament, in which laws were enacted, and subsidies ^{Ir. Stat.} granted, the utmost vengeance denounced against ^{8 Hen.} those who presumed to resist him, and particularly ^{VII.} against the city of Waterford, whose possessions and franchises were declared forfeit, on account of their perverse opposition to the new government. Thomas Butler, a principal branch of the family of Ormond, who had fled into England to inform Henry of these commotions, was attainted, and his possessions seized. William his brother was also treated as a rebel, and obliged to fly for safety into the

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neighbouring kingdom. The clergy voted a subsidy to the pope to soften his resentment, and to procure absolution from the sentence denounced against the opposers of Henry. The whole administration of government, the procedure of law, and execution of justice, passed for some time regularly, in the name of Edward the sixth. But this pageant of royalty was too slight to satisfy the secret views of those who supported the adventurer, not to establish his dominion in Ireland, but to expel the reigning prince from England. A council was assembled to deliberate on means of employing the powers they had obtained, and improving the success which had already attended their young king. It was proposed to continue in their present situation, and by making Ireland the seat of war, to draw Henry into this country. His jealousy would prompt him to attend the expedition in person; and his absence from England could not fail of raising dangerous commotions in the state.

BUT however wise and politic this counsel might appear at first view, the circumstances of affairs in Ireland rendered it utterly impossible to be pursued. The English noblemen, who resided in the seat of government, saw nothing of the country but what wore the fairest and most flattering aspect, and imagined themselves already in possession of a whole kingdom. Such were the representations which they transmitted to their friends, and such is the strain in which grave and judicious historians speak of their success. But in effect, this adventurer and his adherents, amidst all their specious shew of royalty and magnificence, commanded but in a very confined, harassed, and impoverished quarter of the island. Far the greater part of it was possessed by warlike septs, who neither feared their power, nor interfered in their interests or contests, unless perhaps a single chieftain, who was provoked or tempted to take advantage of their present phrenzy, and lay waste some of their borders. Many of the rest could boast that the English settlements subsisted only

only by their protection, and left them to enjoy their power in those districts, from whence they had not been yet expelled, as an inferior sept now naturalized in their country. The names of Kildare, Desmond, or de Burgo, could indeed command numerous followers; yet not as English lords, but Irish princes, not completely assimilated, but bearing a strong resemblance to the old native chieftains. The new king, assisted with all the influence of the lord deputy, could with difficulty contrive to maintain his household, and support the ordinary establishment of the state for any considerable time. All the resources he could extort from his Irish subjects were utterly unequal to the charge of a numerous army: so that it became absolutely necessary to change the scene of their adventure.

MEN, whose warm tempers hurry them into enterprizes of danger and innovation, possess their imaginations with hopes of vast advantage from the success of their designs. The deception spreads through all orders; and even the most inferior followers in such enterprizes indulge their dreams of riches and honors. The violence of those of English descent, and the sanguine inexperience of their Irish adherents, were not to be restrained by their superiors. They pressed clamorously to be led into England; the resolution, which suited the necessities of the state and the passions of the people, was soon adopted, and the embarkation prepared. Henry in the mean time levied his troops, especially in those parts where the invasion was expected to fall, continued his progress, made the necessary dispositions in the suspected counties; and, to captivate the people by an appearance of piety, visited the shrine of our Lady of Walsingham, a great scene of popular devotion, where he offered his prayers and vows for deliverance; and returning to London, was there informed that the rebels from Ireland had landed in Lancashire, at a place called Foudrey, and were joined by Sir Thomas Broughton and his troop.

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THE earl of Kildare had been left in Dublin to attend the affairs of government. His brother, lord Thomas Fitz-Gerald, was possessed with such perfect confidence of success, that he resigned the place of Irish chancellor, to follow the fortunes of Simnel, and with Maurice, another brother, attended on the earl of Lincoln, who took the lead in this expedition. His course was directed towards York, a measure deemed highly injudicious, as Lovel had been lately discomfited in this part of England, and the popular discontents allayed by Henry's personal appearance. His army, through their whole progress, affected the strictest and most inoffensive regularity, as if their young king were tenderly solicitous for the peace and welfare of his people. But they were every where received with silent astonishment. The people, awed by the reputation which Henry had acquired of conduct and success, suffered this army of foreigners, who presumed to obtrude a sovereign on England, to pass unassisted, to the utter confusion of their leaders, who had now no hopes but in a speedy and decisive action. The king advanced upon them, and was reinforced by the well-affected; the rebels with equal alacrity marched to meet him. They had bent their course towards Newark, with intent to surprize it. Henry, to prevent them, advanced his army between their camp and the town, a motion soon followed by an engagement near a village called Stoke, in the county of Nottingham.

Ibid.

THE desperate valor of the rebels, assisted by the conduct of Swaart and his veteran Germans, kept the fortune of the battle a long time doubtful, notwithstanding the superiority of the king, both in the number and quality of his troops. It is said by his historians, that the van-guard of his army only was engaged, and yet the assault of the enemy was violent and obstinate, and attended with considerable slaughter. The forces of Ireland took their share in the action with a furious valor, but being lightly armed after the fashion of the native Irish, for which even

even those of English race had unhappily renounced the old English weapons, they were unable to resist the impression of the royal army: though broken, they still disdained to fly, and were slaughtered with such unrelenting havoc, as was hideous and appalling to their associates, and principally determined the victory in favor of the king. The earl of Lincoln, the lords Thomas and Maurice Fitz-Gerald, Plunket, and other Irishmen of distinction; the gallant Swaart and Sir Thomas Broughton, all fell upon the field of battle. Lord Lovel having never been heard of more, was supposed to have undergone the same fate. Four thousand of the rebels are said to have been slain in this battle. And among the prisoners, Simnel himself, attended by the priest his tutor, had the misfortune to fall into the king's hands, and thus closed his short career of greatness. Henry affected too great magnanimity to take the life of this wretched instrument: he consigned him to the menial offices of his kitchen, as the most effectual means to mortify his adherents, and to preserve a living memorial of their infatuation, so as to deter others from the like factious enterprizes. Simon the priest was treated with greater rigor: while his pupil was indulgently advanced to the rank of falconer to the king, he was kept in close and severe confinement, and most probably suffered all the punishment due to his attempt.

THUS were the subjects of Ireland awakened from their dream of victory, riches, and honor, to a fearful sense of their temerity, and the resentment of that rigid prince whom they had offended. Letters arrived from Henry to the citizens of Waterford, commending their fidelity, and encouraging them to persevere in a brave and loyal opposition to the earl of Kildare and the citizens of Dublin. A papal bull was directed to those prelates who had not been accused of the rebellion, the archbishops of Cashel and Tuam, bishops of Clogher and Ossory, to inflict the usual ecclesiastical censures on the delinquent clergy, in which number were involved the

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the primate of Armagh, (though he had refused to assist at the coronation of Simnel,) the archbishop of Dublin, and the prelates of Meath and Kildare.

Wars.

The storm of vengeance was thus gathering; but to avert it, the earl of Kildare and other lords instantly dispatched their emissaries to the king, by whom they acknowledged their fault, and palliated it by such pretences as they could devise, humbly imploring pardon, and promising by their future good conduct to atone for their late error. A prince so busily occupied in suppressing the remains of civil commotion in England, found it necessary to suspend his attention to the state of Ireland; any violent prosecution of the revolvers in this country would require to be supported by a considerable force, and the whole fabric of Irish government might probably be dissolved in the conflict. The very nobles who had espoused the cause of his rival, were absolutely necessary to his interests in repelling the Irish insurgents; nor was there any power in this country which could be raised in competition to that of Kildare and his associates.

The few lords who had been untainted by the late revolt, were of inferior note, the family of Bixler dispersed, and their adherents discouraged. The house of Desmond, which had indeed taken no part in the late disorders, was favorably disposed to their kinsman, or if they might be flattered into an opposition to Kildare, were at this time too much embarrassed by their particular disorders. James,

Ibid.

earl of Desmond, during the course of Simnel's rebellion, had been treacherously murdered by a vindictive ruffian whom he retained, and dying without male issue, left his heir and brother entirely involved in pursuing the assassin and his accomplices. Such circumstances were maturely weighed by Henry and his council. He contented himself for the present with answering the submissions of his Irish subjects by declarations of pardon, attended however with severe reflections on their folly and disloyalty. Kildare in particular was assured that the royal

royal grace must entirely depend upon his future loyal and dutiful conduct, was strictly enjoined and instructed to support the king's interest, and thus for the present, was continued in the government. The citizens of Dublin taking advantage of these apparently favorable dispositions of king Henry, addressed the throne, acknowledging their offence, pleading the powerful influence and example of the great lords, and even of their venerable prelates, by which they had been seduced, and humbly imploring to be included in the grace and pardon extended to the offending subjects of their land.

BUT notwithstanding this general appearance of submission on the part of his subjects in Ireland, and the affected levity of the king, notwithstanding the patents of pardon were prepared in favor of all the lords and prelates guilty or suspected, or whose conduct might hereafter be exposed to any attack, something further was still necessary to compose the affairs of Ireland, after such a commotion, and to establish the king's interest and authority in this country. Sir Richard Edgcombe, who had been already employed in negotiations with the king of Scots, an officer of his household, and one in whom he reposed peculiar confidence, was sent into Ireland with a troop of five hundred men, to oblige the subjects to renew their oaths of allegiance, and to tender the royal pardon, upon such conditions as might assure the king of their future loyalty.

EDGCOMBE, on his arrival at the harbour of Kinsale, possibly from some apprehensions of the temper and dispositions of the people, at first refused to land, but obliged Barry, a principal lord in this district, to attend him on board his ship, there to take the oath of allegiance, and do homage for his barony. He was however prevailed upon to honor the city with his presence, and the oaths and homage of lord Courcey were received in the church with greater form. Hence he proceeded in a coasting voyage to Waterford, where his only part

Voyage
of Sir
R. Edg-
combe.
MS. Trin.
Col. Dub.

part was to commend and confirm the loyalty of the inhabitants. On his arrival in the harbour of Dublin, the magistracy were prepared to receive him with the utmost submissions. But Kildare, when he had once recovered from his first alarm and surprise, began to recollect his own power and consequence, nor was he ready to attend the king's commissioner, or decided in the part he was now to take. Under pretence of his being at present engaged in a pilgrimage to some of the Irish seats of devotion, seven days were suffered to elapse, before he vouchsafed to repair to Dublin. And when he at length consented to an interview with Edgcombe, the haughty severity of the commissioner was returned with a cold civility. His overtures were examined, and discussed with freedom: the earl consented to do homage and fealty, and to give assurance of the most solemn oaths for his future fidelity. But some additional security was demanded, (the nature of it is not distinctly mentioned) which was either offensive to the pride, or prejudicial to the interest of the earl and other great lords. Objections were raised, and the parties at first separated in disgust. The treaty was renewed, but Kildare persisted in dictating the terms on which he would accept his pardon; and Edgcombe, after some delay, deemed it prudent to acquiesce. Homage and fealty were performed in a solemn and public manner by the earl of Kildare, the lords Portlester, Gormanston, Slane, Hoath, Trimbleston, and Dunsany; they were absolved from the pope's sentence of excommunication; the prelates of Dublin, Meath, and Kildare, with some abbots and priors, submitted in like manner, and received the like absolution; and such were the prevarications apprehended, and such ridiculous pretences were usually devised for breaking through the most awful forms of obligation, purposely administered with every circumstance that could strike the mind with terror and veneration, that Edgcombe is exact in specifying, that the

Host

Host on which the Irish lords were sworn, had, by stipulation, been consecrated by a chaplain of his own, on whom he had particular reliance.

With his patent of pardon, Kildare was now presented with a chain of gold from the king, in token of grace and reconciliation. The citizens of Dublin, Drogheda, and Trim, the primate of Armagh, and some other offending clergy were also received into favor, and swore allegiance. The only persons to whom the royal pardon was denied, were Plunket, chief justice, and Keating, the prior of Kilmainham, who had become particularly obnoxious by their zeal in the cause of Simnel. The most urgent solicitations were used in favor of these offenders; and in the case of Plunket they were at length effectual. But the insolent and turbulent prior was declared unpardonable. He was ejected from his office of constable of Dublin castle, obliged to save himself by flight, and ended a life of faction and contention, in the most abject poverty and contempt.

Thus were the affairs of Ireland settled and the subjects reconciled to the government of Henry; the earl of Kildare was continued lord deputy, and left to pursue the usual course of administration, and to repel the Irish invaders, whose outrages had increased, and were extended without sufficient control, during the late commotions. But a general pardon could not at once allay the jealousies and animosities of rival lords. The few who boasted their attachment to the throne in a time of general revolt, rated their own services and sufferings at the highest value, inveighed against their late oppressors, incessantly solicited for favors and preferments, and represented to the king that they themselves alone, of all his Irish subjects, were worthy of the royal confidence. Octavian, the primate of Armagh was particularly assiduous to supplant the earl of Kildare, and urgently represented the necessity

of being appointed to the office of chancellor, in order to form a balance against the enormous power of the deputy. Kildare was no less assiduous in defeating these secret practices; and for this purpose, Payne, bishop of Meath, was made his emissary to the king. Hepry heard the several representations with caution and reserve, and although he deemed it imprudent to make any present innovation in the state of his Irish government, and therefore rejected the petition of Octavian; yet such were the fears and suspicions raised in his mind, that he deemed it necessary to summon the earl of Kildare, with other lords of greatest consequence, into England. They attended him at Greenwich, and there, after some expostulations, received a confirmation of the royal grace. At a banquet to which they were invited, Simnel was appointed to officiate as a butler, to strike his great partizans of Ireland with the more forcible impression of their own folly. But this mortification of beholding the idol to whom they had bowed the knee, degraded to his original meanness, was followed by the most engaging expressions of indulgence and favor. The baron of Hoath, who although for greater security he accepted the king's pardon, yet had not engaged in the rebellion, received a present of three hundred pounds; and all were dismissed with marks of confidence, and gracious assurances of being honored and distinguished, according to their future loyal services.

THE earl of Kildare resumed his government with full power and consequence, and exercised it for some time in peace and splendor. His rivals were depressed, and their factions and clamours silenced. His forces were sufficient to defend the borders from any danger to be apprehended from occasional insurgents, and the Irish chieftains of greatest note were too well affected to his person, or too deeply engaged in their own quarrels, to make any important attempt upon the English settlements.

ments. In the South, the new earl of Desmond acted entirely as an independent sovereign, made wars and treaties with his neighbours, without any opposition to English government, but without any interference with the king's ministers. His power was greater than that of any chieftain in Munster, and his renown encreased by two victories gained, one in Thomond, over O'Carrol, prince of Ely, the other in Desmond, over Mac-Arthy, a potentate of still greater figure and authority. Each of these Irish chieftains fell in battle; and such successes, though not gained in the cause of English government, yet contributed to its security, by employing, weakening, and intimidating some of its most dangerous rivals. In the North, O'Nial, kinsman to the lord deputy, and confident in the support of his authority, attempted to oppress the neighbouring chieftain of Tirconnel, and soon kindled up a desperate provincial war in Ulster. The deputy attempted to compose the contest by his mediation, but without effect. It continued with all the circumstances of barbarity incident to such quarrels, until the murder of O'Nial, and the infirmities of his rival for a while suspended the animosities of each party; which had nothing more considerable for their immediate cause, than the pride of O'Nial, who demanded that his enemy should recognize his superiority by paying tribute. The laconic state with which the demand was made and rejected, would deserve to be admired in a nobler contest. *Send me tribute, or else*—was the message of O'Nial. The answer was expressed with the same princely brevity. *I owe you none,—and if—*

BUT while such futile contests left the English subjects free from any extensive insurrection or dangerous invasion, the affairs of England afforded new occasion to the revival of their factions. Another pretender to the crown assumed the name of Richard duke of York, and was encouraged and patronized

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patronized by the restless duchess of Burgundy. It was again resolved that the adventurer should make his appearance in Ireland; in the mean time Perkin Warbeck (so was he called) retired to Portugal, till a fair occasion should present itself for asserting his pretensions. The design, however secretly conducted, could not escape the vigilance of Henry, and determined him to make such dispositions in the Irish government, as he deemed best suited to his interests. The earl of Kildare was removed from the administration, and Walter, the archbishop of Dublin, substituted in his room, as deputy to the duke of Bedford. The chief justice, Plunket, was raised to the station of lord chancellor; such was the confidence now reposed in him; and the baron of Portlester, who had enjoyed the office of treasurer for forty years, was obliged to resign in favor of Sir James Ormond, a natural son of that earl who had died on his pilgrimage to the Holy Land. These changes shew the secret assiduity of the prelate, and Plunket in particular, in practising at the court of England, and supplanting their former associates; nor could they fail to excite jealousies and dissatisfactions. The earl of Kildare, disgusted at his abrupt removal, was still more provoked at seeing Ormond return to Ireland, vested with high authority, to revive the power of his rivals, the Butlers, and to supply the absence of the present earl of Ormond, who was in high favor with the king, and employed on an embassy in France. The knight, on his part, was little careful to keep terms with the hereditary enemy of his house, whose power and influence he conceived to be considerably in their wane. The mutual pride and animosity of these competitors burst forth at once on the arrival of Ormond. They flew to arms without the least regard to the authority of government, and continued their petty brawl to the great annoyance and confusion of the English subjects, as well as the encouragement of the Irish insurgents.

ARCHBISHOP

ARCHBISHOP Walter in the mean time convened his parliament, where every transaction seems to have been purposely calculated for the mortification of Kildare and his associates. Some proceedings and inquisitions which Portlester had formerly ^{Irish Stat.} carried on against the archbishop, and by which he ^{8 H. VII.} was deprived of a considerable part of his temporalities, were pronounced grievous and malicious, and utterly-annulled. This nobleman was declared to have converted the revenues of the kingdom to his own purposes for more than forty years, and ordered to account in the exchequer, and pay the whole arrears of this long period, on pain of forfeiture and imprisonment. The transactions of Kildare during the insurrection of Simnel, were invidiously recalled to view, and condemned with great severity. The citizens of Waterford, who (as it is expressed by this assembly) had by false surmises been attainted by authority of parliament, in the time of Gerald earl of Kildare, lord deputy, in the reign of the present king, were fully restored to all their grants, authorities and privileges: the same favor was shewn to those of the family of Butler, who had been attainted and driven from their possessions, during the administration of Kildare. These proceedings, evidently dictated by party rather than justice, were attended by an act of resumption of all grants from the first year of Henry the sixth; an usual instrument of faction and revenge.

SUCH was the situation of the Irish government, when Perkin Warbeck was sent by his secret abettors into this kingdom. He landed on the southern ^{A. D.} coast without troops or retinue, or any provisions ^{1493.} for exciting an insurrection, appeared in the city of ^{Ware.} Cork in the character of Richard Plantagenet, who had escaped from the Tower, and was received and entertained by the chief magistrate with the honor due to this young prince. Hence he sent letters to the earls of Kildare and Desmond, acknowledging their loyal attachment to the family of Yorke, notifying

notifying his arrival in their country, and entreating their assistance for the recovery of his rights. Kildare, besides his attachment to the family of Edward the fourth, had lately been mortified and provoked by Henry. Desmond lived at a distance from his power, and unconnected with his government. The manner in which the former received this invitation, though not explicit, was at least suspicious. Desmond, without restraint, at once declared in favor of the new adventurer. But, before his appearance in Ireland could produce any considerable effect, he was suddenly called into France by the pressing applications of king Charles, who deemed him a convenient instrument to his purpose of forcing Henry to a peace.

Ware.

The real character, the progress and the fortunes of this adventurer, do not properly belong to the present history. It is only pertinent to observe, that his short residence in Ireland served to enflame the violence of faction, to excite rumours and jealousies; and to afford occasions for interested reports and accusations at the court of England. The English pale had been severely visited by that extraordinary malady called the Sweating Sickness. This had been succeeded by famine and pestilence; yet such calamities could not suspend the faction and rivalry of the great lords. Perpetual complaints were made to Henry by every party, of the dangerous practices and designs of their competitors. This prince, harassed by repeated accounts of the disorders subsisting among his subjects of Ireland, and impatient of the contradictory advices received from this country, suddenly dispatched a mandate to the archbishop of Dublin to repair to England, and lay before him a full and clear detail of all the circumstances of his Irish government. Preston, lord Gormanston, was appointed lord deputy in his room; and although his powers were more confined, than those usually annexed to his office, yet as he was well known to be a partizan of the Geraldines, his advancement could not but prove

prove offensive to their opposers. Kildare and those lords, who had formerly been united with him, cheerfully concurred in support of this new deputy, and associated for the protection of the English borders. Their antagonists were violent in opposition to Gormanston. He convened a parliament at Drogheda: they refused obedience to its statutes, for they pleaded that it had been assembled irregularly, and without due authority; that the deputy had no power by his commission to hold a parliament; that the duke of Bedford, from whom his authority was derived, had resigned his office previous to the convention; that the writ of summons which should have been general, had been issued only to four counties. Such pretences served to excite new clamors, and afforded the factious a fair pretence of equity and public spirit, to conceal their interested and malignant purposes.

In the mean time archbishop Walter attended on the king, and was received with sufficient favor. ^{Ware} His aspect commanded respect, but his piety and gravity were more conspicuous than his penetration and abilities. In his conversation on the state of Ireland, Henry expressed his surprize that his subjects of this land should be so prone to faction and rebellion, and that so little advantage had hitherto been derived from the acquisitions of his predecessors, notwithstanding the fruitfulness and natural advantages of Ireland. Walter, with the simplicity of an ecclesiastic, rather than the deep research of an able-statesman, ascribed this entirely to the idle and wandering life which had been learned from the native Irish, and which made the people ready for innovation, easily led astray, irritable and turbulent. Henry was too much versed in the extensive range of policy to be thus satisfied. But an apparent goodness of heart, sincerity, and unaffected integrity have more powerful attractions than even knowledge and penetration. Walter was entertained at the court with particular attention. Being present

sent when a foreign ambassador was introduced, and in a florid harangue expatiated on the glory and renown of the English monarch, Henry, turning to the archbishop, desired his opinion of this oration which his courtiers so applauded. "It pleaseth me well," said Walter with an undesigning ease and sincerity: "but methinks it flattered your highness too much." "In sooth," replied the king with great composure, the very same fault, good father of Dublin, occurred to us, and we were "minded to observe it."

THE favorable reception of this prelate could not but alarm the party who had offended and opposed him, or whose conduct had been obnoxious or injurious to the interests of the crown. The earl of Kildare particularly dreaded the effect of his representations. To guard against them, he resolved to repair to the court of England; and there pathetically represented to the king the indefatigable malice of his enemies, in abusing the royal confidence with false accusations of his conduct, and insinuations of his disloyalty; and, with the most zealous professions of fidelity, boldly offered to justify his conduct against every suggestion of his adversaries. But Henry was by this time fully prepossessed against this earl. The archbishop had disclosed every suspicious circumstance of his conduct; and the partizans of the earl of Ormond, Henry's distinguished favorite, had industriously labored to convince the king of his disaffection and turbulent disposition. He was told that various articles of accusation had indeed been urged against him; but that it was in Ireland only where such matters could be accurately examined and discussed: that his defence must be made there, and for this purpose he was to attend a new lord deputy now preparing to embark; that Sir, Edward Poynings, an English knight, in whom the king placed peculiar confidence, was invested with this office, accompanied with such powers as would effectually quell the disaffected; that he would
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would hear all complaints, and decide all controversies, punish the delinquent, and reward the meritorious, so as to leave no just grounds of discontent among the Irish subjects.

HENRY about this time had taken severe vengeance on his enemies so as to terrify the disaffected. He had leisure to attend to the necessary measures for regulating his dominions, and establishing the succession of his family. But the pretensions of a competitor still subsisted: Ireland had already proved a fit scene for commotion and conspiracy; so that his personal security, as well as the interests of his crown, necessarily obliged him to make the affairs of this country an especial object of his care*. For

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* The late transactions in Ireland, the bold attempt in favor of Simnel, and the desperate valor displayed by the troops led into England by the Geraldines, had made this country the subject of general discourse and speculation; and the rising spirit of project and enquiry had engaged individuals to search deeply into the revolutions experienced in Ireland, ever since the reign of Henry the Second; the declension of the English interest, the dispositions, temper, and power of the old natives, the designs and competitions of great lords, the conduct of the king's officers, and the means of rendering an appendage to the crown of England, in itself so valuable, of real weight and consequence to the general weal. There is a discourse still extant in some repositories of curious papers, said to have been presented to the king and council, not later than the present period, in which the affairs of Ireland are copiously examined. The author labours to engage the king in the complete reduction and settlement of this country. His hope of success he founds on a supposed prophecy, that about the present time, this great and important undertaking was to be completed, and that, in consequence, an united army of England and Ireland was to seat the king upon the throne of France, to restore the Greeks, to recover Constantinople, and to make him emperor of Rome. Yet notwithstanding this ridiculous fanaticism of the projector, his researches were accurate, and his policy judicious. He recounts no less than sixty regions of different dimensions, all governed by Irish chieftains, after their antient laws and manners, together with a long catalogue of degenerate English, who had renounced all obedience to government, in the several provinces. The pale of English law and civil obedience, he confines within the narrow bounds of half the counties of Uriel, Meath, Kildare, Dublin, and Wexford, and the

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the present he determined to begin with an entirely new administration of Irish government, composed of men of approved attachment to the throne, and unconnected with any of the different factions, which had for some time raised such commotions in Ireland. It was resolved that Sir Edward Poynings should be attended to his government, with a force consisting of about one thousand men. An English lord chancellor was appointed to accompany him, Dean, bishop of Bangor, and prior of Lanthony; Sir Hugh Conway, an English knight, was appointed lord treasurer; the former judges were removed, and English lawyers of good repute substituted in their place. All these embarked with Poynings, and on his arrival in Dublin were sworn of the privy council.

CHAP.

common people of these districts he represents as entirely conforming to the Irish habit and language, although they professed obedience to the laws; so general had been the intercourse of fostering, marriage, and alliance with the enemy, of which the deputy himself had set the example, and which of consequence he could not restrain. The grievances of these counties, from oppressive exactions, unnatural feuds, expeditions undertaken by deputies from personal animosity, or private interest, to the utter ruin of the subject, and without the least advantage to the state; laws forgotten, neglected, and defied; an increasing degeneracy, a general ignorance, and scandalous inattention to instruct and reform the people, are all detailed fully. The remedies proposed are, a competent force sent out of England to support the authority of a chief governor of integrity and equity; a strict attention to training the people to the English art of war; garrisons stationed so as to awe the Irish enemies and rebels, to put an end to local quarrels, and gradually to reduce the whole body of inhabitants to obedience; equitable and moderate taxation, substituted in the place of arbitrary impositions, with other particular regulations, many of which were afterwards adopted. Such remains of antiquity are not unworthy of notice, as the sentiments and opinions of contemporaries serve to illustrate and confirm the representations collected from history or records. Pandarus sive Salus Populi. MS. Trin. Col. Dub.

C H A P. V.

Arrival of Sir Edward Poynings Objects of his administration Insurrection of an Irish chieftain Poynings takes the field Prepossessed against the earl of Kildare The earl accused of a correspondence with the enemy His brother seizes Carlow Poynings alarmed Treats with the Irish Summons a parliament Acts of the tenth of Henry the seventh Poynings' Law Second attempt of Perkin on Ireland He is supported openly by the earl of Desmond He retires to Scotland Kildare accused of disloyalty, and sent prisoner to the king His behavior to the king His contemptuous treatment of his accusers The king's final answer to their charge Kildare restored to the government of Ireland Desmond pardoned Irish subjects reconciled to the king Device for restraining the Irish enemies Vigorous conduct of Kildare His quarrels with the Butlers accommodated Practices of his enemies defeated His sister given in marriage to Pierce Butler Who kills Sir James Ormond, and succeeds to his power and possessions Daughter of Kildare married to Uliac Clanricarde Dangerous consequence of this alliance Battle of Knocktow Its consequences Revival and increase of the English power in Ireland.

THE arrival of Sir Edward Poynings to assume the office of vicegerent, was an event attended with considerable expectation. It evidently appeared ^{A. D.} to be the fixed purpose of the king, to break the ^{1494.} power of those lords, who by their station and residence had gained an extensive influence in Ireland, who could raise numerous followers, and by authority of their name, lead them to any factious enterprizes; who, when entrusted with the government, could model the legislative assemblies at their will, and dictate such laws to their creatures,

as might best serve the purposes of their power, their interest, or their revenge; who had connived at the growing degeneracy of the old English, and by their own pernicious examples had encouraged a contempt and disregard of law and civility; who by their wars harassed the subjects, and by their parliaments loaded them with repeated taxes, ever grievous, frequently unnecessary, and almost always misapplied. The scheme of this chief governor was nothing less than that of a general and extensive reformation of the state, to put an end to the iniquity of ministers, and the oppressions of the people, as well as to extinguish every remaining spark of disaffection and rebellion. A general reduction of the old natives, or a considerable extension of the English dominions in Ireland, could not as yet make any part of his design. The pale was to be first reformed, and the present body of subjects to be taught the salutary restraints of order and polity, to be strengthened and invigorated by wholesome discipline.

Ware.

SOME commotions however in the Northern province, gave him an opportunity to employ his military force before he could proceed to any important measure of civil government. An Irish chieftain, called O'Hanlon, had proved remarkably turbulent during all the late time of commotion. Though vigorously opposed by Kildare, yet, his incursions were continued, and had grown more formidable by the concurrence of some other petty leaders of the northern Irish. Poynings marched out to oppose him, and was attended by Sir James de Ormond, and by the earl of Kildare. This lord affected the most zealous attachment to the English interests, in order to efface all former suspicions, and to regain the royal favor. But his rivals watched his conduct with an invidious assiduity; and the earl incautiously afforded them some pretence for enflaming the jealousy, and alarming the suspicions of Poynings. He was assured that Kildare laboured incessantly to oppose him, that he

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had even entered into a secret correspondence with the Irish enemy, assisted them clandestinely, and was actually engaged in a conspiracy with O'Hanlon, to massacre the king's deputy. To countenance these suggestions they appealed to his former conduct, his disloyalty, his pride, and his oppression, the importance he affected, and the intemperate aversion to an English governor, expressed by all his followers. Poynings was alarmed, and to confirm his fears, intelligence was received that lord James, brother to Kildare, had possessed himself of the castle of Carlow, in defiance of the royal authority. The private insinuations of the enemies to the house of Kildare, were now converted into an open and direct charge of treason against the earl. He was arrested and confined; the deputy thinking it dangerous to continue in his present situation, hastily concluded a treaty with the Irish insurgents; and marching to Carlow, laid siege to the castle, which, after the resistance of a week was surrendered upon articles.

THE deputy and his English forces had found in the Irish an embarrassing, though not a very honorable enemy. Instead of marching to the field in all the pomp and pride of chivalry, and engaging in an open and regular battle, they darted upon their prey from inaccessible woods and morasses; to these they retired at the approach of the royal army; from these they again issued upon any prospect of advantage, but before the deputy could draw out his forces, were already vanished, so as to keep him in perpetual terror and perplexity, without permitting him to strike any decisive blow. In this new kind of war, and in a strange country, little glory was to be acquired, and much damage to be apprehended. He therefore received the intelligence of Kildare's traitorous practices with secret pleasure, as they afforded some colour for his retreat, and was interested in representing them at the court of England in the severest manner, as this conveyed a justification of his military conduct.

Bacon.

Ir. Stat.
10 Hen.
VII.

As he had derived no credit from his actions in the field, he was of course more solicitous that his civil administration should be distinguished by vigor and abilities. He summoned a parliament to meet at Drogheda, on Monday after the feast of Saint Andrew, one thousand four hundred and ninety-five, fourteen months after his first arrival in Ireland, an interval which afforded him sufficient opportunity of hearing the popular complaints, and the devices of statesmen, perfectly informing himself of the disorders of the country, and considering the remedies necessary to be applied. The principal intent of this assembly was to relieve the subjects from oppression, and lessen the enormous influence of the great lords; to restrain the degeneracy, and reform the manners of the pale; to strengthen and secure the interests of the crown; to revise the former laws, and regulate the proceedings of future parliaments. Their statutes had a permanent and remarkable effect on the political constitution of Ireland; and demand some notice, not so much to correct the careless misrepresentations of some English historians, as to state facts without refinement or perplexity, some of which, at the distance of two hundred and seventy-five years, are matters of particular discussion in Ireland, and at the very time I now write, there, afford an interesting subject of debate.

A. D.
1495.

It was the first care of this assembly, met purposely and avowedly for the effectual reformation of the English pale, to relieve the subject from those grievous impositions called coyne and livery, by which the great lords had desolated the lands; banishing the freeholders, seizing their estates, and filling them with the old natives, over whom they reigned, and by whom they were attended, in all the state of barbarous sovereignty. In the place of which was substituted a tax of twenty-six shillings and eight pence on every six score acres of arable land, belonging either to lay or ecclesiastical proprie-

proprietors, to be paid for five years to the king. It was even forbidden to receive the usual contributions from the landholder under the name of gift or reward, and the very giver was made liable to a penalty of one hundred shillings. Where the necessities of the state required the quartering of soldiers, the rates of their maintenance were defined and prescribed, the poundage paid to the brotherhood of Saint George, as it had been by this time abused and perverted, was made payable only to the king; several pensions which had been extorted by the marchers and other lords, both lay tenants and ecclesiastics, for the pretended purpose of securing their possessions, were utterly revoked and annulled. The inferior orders of subjects were thus bound only to a certain stated contribution to the exigencies of state, without any additional charge, but that of securing the marches from inroads, by throwing up a competent entrenchment, for which each tenant was to be allowed one year's rent.

THE preambles of these several statutes contain severe reflections on those lords by whom the people had been so grievously oppressed, on the extortions daily exercised by persons of great authority in the land, and the subtle and crafty means of unspeakable imposition practised under colour of justice, by persons pretending to be of the king's council. To circumscribe the power of these great leading personages, it was enacted (and the laws themselves point out their practices) that no citizen, burgess, or freeman of any city, shall receive pay or wages, as the follower of any great lord; "forasmuch as the cities and great towns, and especially the city of Dublin, have of late been abused, and inordinately have demeaned themselves, contrary to their natural faith and allegiance, for the amity and favor they did bear to diverse lords and gentlemen of the land." It was also provided that no lords or other persons, not immediately connected with corporate towns, should be

be admitted into their councils, as freemen or magistrates, and that none should be chosen magistrates or freemen but such as had served apprenticeships, and were constant inhabitants of their respective cities. The great lords themselves were forbidden to retain any followers, but their household officers and menial servants, except the marchers, who were necessarily allowed a larger following, but were to certify the names and number of their retinue. For the same purpose of dissolving particular associations it was forbidden to make war or peace, without licence of the deputy; and to excite the Irish against the inhabitants of the pale, or to raise any war against the governor, was declared high treason. All those compulsory alienations of church lands, by which the great oppressors had been enriched, were revoked; they were forbidden to keep any great gun, or hand-gun, without special licence: and all their military cries, and words of distinction used by the several factions, were prohibited as utterly seditious and illegal. To reform the lower orders of subjects, they were strictly enjoined the regular and constant use of archery. They were forbidden, in case of murder, to prosecute the offender in the old Irish method of compelling his sept to pay a fine, but to proceed regularly according to the English law; and this crime of murder, by a severity most expedient and necessary in times of turbulence, was declared to be high-treason. For the like purpose of reducing the subject within the p bounds of civil polity, the statutes of Kilkenny were revived and confirmed, except that which prohibited the use of the Irish language, which had by this time spread through all the English settlements, and that which prescribed the use of saddles, in which particular the Irish custom had so prevailed, as to render it impossible to be abolished, or at least too insignificant to be regarded, when it was no longer a mark of national distinction. All other statutes made in former parliaments for the common weal,
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were by the same law confirmed; and such irregularity had been produced by the public disorders, and such confusion in the records of state, that the act directs that these statutes be *enquired of*, and executed, and for the future carefully enrolled by the lord treasurer in the king's bench and common pleas.

BUT this confirmation of former statutes was not without particular exceptions. By an act which entrusted the government to the lord treasurer, in case of the death or sudden surrender of a deputy, the statute which had vested the election in the council was repealed, and this to prevent the inconveniences experienced from the advancement of a factious lord. The law of elections of sheriffs and other officers accountant, was also repealed, by vesting the nomination of these in the treasurer, who, to guard against the long abuse experienced, particularly in the case of lord Portlester, was by the same statute to account annually before a committee of council. With the same disregard of that law which had made the officers of state for life, and which indeed had been the act of faction, it was enacted, that in consideration of the inconveniences experienced from patents granted for life, which had emboldened officers to misuse their authority, contrary to all natural allegiance, no persons entrusted with administration of justice, that is to say, the chancellor, the treasurer, judges, barons, and clerk of the rolls, and officers accountant, shall have any authority by patent, but only at the king's pleasure. All grants to be hereafter made, or any statute formerly enacted to the contrary, were declared null and void. The act made in the reign of Henry the sixth, during the administration of the duke of York, and which confirmed the supposed prescription in favor of foreigners, and entitled them to protection and support, notwithstanding the king's writ, or letters missive for apprehending them, was recited with particular severity; all the disorders raised by the par-

tizans of Simnel and Warbeck, were imputed to it; the supposed prescription was utterly denied and the statute repealed. All acts of the parliament summoned under the authority of Simnel were totally annulled, and all records, processes, ordinances of council, or other acts of state done in the Ladd's name (as he is stiled) forbidden to be received, under the penalty of high-treason. The statutes passed in the parliament held by lord Gormanston, after the resignation of his principal, the duke of Bedford, without due authority, and without general writs of summons to all the king's subjects, were also totally annulled; and possibly the tenor of those acts might have influenced this reversal still more than the reasons publicly assigned.

BESIDES some statutes relative to individuals, we find in the proceedings of this famous parliament, an act of attainder passed against Gerald Fitz-Thomas, earl of Kildare, for treason and rebellion, corresponding with the king's enemies, conspiring with O'Hanlon to slay the deputy, causing his brother James to seize the castle of Carlow, practising the extortion of coyne and livery, in diverse parts of the shire-land; to which was added a charge of his engaging in a correspondence with the king of Scots, and practising with this avowed enemy of his liege lord, in order to procure forces for himself and the earl of Desmond, that they might destroy the deputy and the king's true subjects. The vengeance of parliament was extended to his adherents and kinsmen, of whom we find a long catalogue attainted of high-treason, so as to reduce this noble family, which had long maintained the first rank in Ireland, to the lowest state of depression and disgrace.

To secure the interests of the crown, and to control the disaffected, it was provided that none but men of English birth should be entrusted with the care of the principal places of strength throughout the whole English settlements; and the turbulent and seditious conduct of prior Keating, suggested another

another statute, whereby an Englishman alone was to be invested with the priory of Saint John of Jerusalem.

THE only statutes made in this assembly, which English historians have deigned to record, remain still to be specified. One of these purports, that "whereas many statutes lately made within the realm of England would contribute to the wealth and prosperity of Ireland, if used and executed in the same, it is ordained and established by the authority of parliament, and by the assent of lords and commons, that all statutes lately made within the realm of England, belonging to the public weal of the same, be deemed good and effectual in law, accepted, used, and executed within this land of Ireland, authorized, approved, and confirmed in the said land." This, which lord Bacon calls a memorable law, was in his days stiled, by way of eminence, the Law of Poynings; and is represented by this author as the first provision for making the statutes of England to be of force in Ireland. But this adoption of English statutes in the Irish parliament, was neither new nor extraordinary. We find the very same provision made by an Irish statute of the seventh year of Edward the fourth. Much less did this statute contain any resignation of legislative rights, or any formal investiture of the parliament of England with the power of making laws for Ireland. Such ridiculous representations (for no respect to the abilities of their author can prevent their receiving this appellation) are best confuted by the very terms of the statute. Hume in Hen. VII.

THE other act is that, so much the subject of political debate, known in this part of the British dominions by the name of Poynings' Law. It is called an act, that no parliament be holden in this land, until the acts be certified into England. And here I shall confine myself to the bare recital of it,

as it is a subject on which there will be occasion to speak at large in the Dissertation annexed to this volume.

“ Item, at the request of the commons of the
 “ land of Ireland, be it ordained, enacted, and
 “ established, that at the next parliament that there
 “ shall be holden by the king's commandment and
 “ licence, wherein amongst other the king's grace
 “ entendeth to have a general resumption of his
 “ whole revenues, sith the last day of the reign of
 “ king Edward the second, no parliament be holden
 “ hereafter in the said land, but at such season as
 “ the king's lieutenant and council there first do
 “ certify the king under the great seal of that land,
 “ the causes and considerations and all such acts as
 “ them seemeth should pass in the same parliament,
 “ and such causes, considerations, and acts, affirmed
 “ by the king and his council, to be good and ex-
 “ pedient for that land, and his licence thereupon,
 “ as well in affirmation of the said causes and acts,
 “ as to summon the said parliament under his great
 “ seal of England had and obtained : that done, a
 “ parliament to be had and holden after the form
 “ and effect afore rehearsed : and if any parliament
 “ be holden in that land hereafter, contrary to tho
 “ form and provision aforesaid, it be deemed void
 “ and of none effect in law.”

THE severity expressed in this parliament of Sir Edward Poynings against the earl of Kildare and his adherents, seems principally to be imputed to the secret malice of his rivals, though his conduct had not been entirely free from suspicion or offence. An open undesigning simplicity, tinged with rudeness and violence, and frequently enflamed by passion, had rendered him an easy prey to designing enemies. And the impatience of his kindred at the disgrace of their noble chief, hurried them into extravagancies which were readily imputed to his influence. The times were dangerous and disorder-

dered, notwithstanding all the vigor of the present deputy. Perkin had been driven to a second attempt on Ireland; and being openly supported by the earl of Desmond and his numerous followers, advanced as far as Waterford, and besieged the city; but, here, being opposed by the Butlers and other enemies of the Geraldines, the siege was raised and the unhappy adventurer retired to the king of Scots. Hence the suspicion was naturally raised, that Kildare and Desmond had entered into secret correspondence with this prince. Their enemies now enjoyed all the credit and consequence of triumphant loyalty. Desmond was at a distance from their power; Kildare lay at their mercy, and they firmly resolved on his destruction. But the deputy was possibly informed how odious and unpopular the severity of Tiptoft had appeared in a former reign. He declined to take cognizance of the accusations urged against the earl, but sent him prisoner to Henry, to answer for his supposed offences before the throne.

THE civil institutions of this Irish administration, could not but be highly acceptable to the king. The sudden retreat of Perkin from Ireland, was imputed wholly to the wise and vigorous dispositions of the deputy; and now, to crown the honor of his government, a nobleman, supposed to be the great and leading enemy to the throne in Ireland, was sent captive, and submitted to the sentence of his offended prince. Poynings returned in a kind of triumph to England, and for his distinguished services, received the honor of the garter. The bishop of Bangor was entrusted with the government, who committed the affairs of war and the defence of the pale to Nugent, baron of Delvin, proceeding in the ordinary course of administration, while the Irish and degenerate English septs were busied in their contests with each other, which no English government had as yet attempted to restrain.

KILDARE

KILDARE, in the mean time, was kept a close prisoner in London, without being heard, or confronted with his accusers; while his wife, deeply affected with the disgrace of her consort, and kept in anxious uncertainty of his fate, languished under such violent impressions, and died in Ireland. But this interval was probably of service to the earl, as it gave the king an opportunity of being informed of his real character, as well as that of his adversaries. Their agents were dispatched to London, and inveighed with great violence against the traitorous attempts and designs of the noble prisoner. He was at length admitted to confront them in the king's presence; when Henry found, instead of a dangerous, subtle, and dark conspirator, a man of unrefined, artless, and even awkward simplicity; of a demeanor so easy, so confident, and unrestrained, as seemed to indicate a perfect consciousness of his own innocence. Henry directed him to prepare for his defence, and to provide himself with able counsel, as he feared his cause would require it.—“Yea,” replied the earl, “the ablest in the realm,” seizing Henry by the hand with an uncourtly familiarity. “Your highness I take for my counsel against these false knaves.” The king smiled at the novelty of this address, and the uncouth compliment to his equity and discernment. He heard his accusers, and found their charge unsupported in every point of moment to the interests of the crown, and in other matters frivolous and futile. The king soon perceived that their allegations were dictated by private resentments, and factional malignity, and was not displeased to see the culprit treat them with the severity of a superior, as if still in Ireland, and in the fullness of power. As their charges of treason were soon found to amount to nothing more than surmise and suspicion, as the Irish lord with whom he was said to have conspired against Poynings, gave solemn and satisfactory

factory evidence to exculpate him, the accusers were obliged to recur to his violences, and the injuries they had sustained from him in Ireland, matters in which Henry was not nearly interested. Among other accusations it was urged, that the earl, in one of his lawless excursions, had sacrilegiously burned the church of Cashel to the ground.—“ Spare your evidence,” said Kildare, I did set fire to the church, for I thought the bishop had been in it.” This undesigning manner of pleading the aggravation, in excuse for his offence, helped to cast an air of ridicule upon the prosecutors, not unfavorable to the culprit. They closed their charge with a warm and passionate declaration, “ that all Ireland “ could not govern this earl.”—“ Well!” replied Henry, “ this earl shall then govern all Ireland.”

THE triumph of Kildare was now complete. He ^{A. D.} was restored to his estate and honors, and consulted ^{1496.} about the affairs of his country. By his advice, as ^{Rymer,} it is said, Henry renewed a pardon he had formerly ^{Tom. xii.} granted to the earl of Desmond, notwithstanding ^{p. 567,} his repeated offences. In the new patent were included several prelates, and several branches of the house of Desmond who had favored the cause of Perkin. None of the Irish subjects were excluded from the royal grace, except Walter, the magistrate of Cork who had been the first to receive this adventurer, and lord Barry, who had been particularly active in his service: the first was reserved to suffer at Tyburn with the unhappy youth whose cause he ^{Ware.} had espoused. Barry was basely murdered in his retreat, by an unnatural brother.

BUT although the king was persuaded that this act of favor would effectually quiet the minds of the Irish subjects, and reconcile them to his service, yet the pacification of those parts of the island, not obedient to his government, was deemed highly necessary to complete the effectual settlement of this country. The Northern chieftains had an easy passage

passage into Scotland, and might form dangerous designs, in conjunction with his Scottish enemies, Their commotions during the administration of the bishop of Bangor, had not been unnoticed. O'Brien and some other chieftains of the south were equally violent, and had made more direct attempts against the English settlements and places of strength.. The quelling such insurgents had ever been a great and burdensome service, which had exhausted the revenue, and employed all the strength of his Irish territories: and as they were neither to be intimidated by his authority, nor subdued by his arms, Henry determined to employ the papal authority, from which the crown of England still affected to derive the right of sovereignty in Ireland, to restrain a people, who, amidst all their violence, were superstitiously addicted to the sovereign pontiff. By his procurement, pope Alexander addressed his commission to the primate of Canterbury, the bishops of London, Durham, Bath and Wells, empowering them to appoint such prelates of Ireland as they should chuse; to convene the clergy and laity of this land; to enquire into the disorders particularly subsisting in the remoter and less populous parts of this country; to apply effectual remedies to those both of clergy and people; and to execute all ecclesiastical censures on the refractory and rebellious, for the effectual restoration of order and tranquillity.—It seems to be regretted that Henry, instead of recurring to this expedient, which in the event proved to be of no considerable effect, did not at once make a general tender of the English law to these distracted people, and receive the whole body of the Irish into the number of his subjects. But the season for such an offer seems now to have elapsed. When they formerly petitioned for this favor, they were harassed by the power, and controuled by the extensive settlements of their neighbours of the English race. Now, they had recovered a considerable

Cox.

Rymer.
tom. xii.
p. 643.

derable part of their ancient possessions; and, in proportion, had resumed their ancient pride. They, who had formerly been humble suitors to the crown of England, were now to be wrought upon by indirect and artful methods. Had the present policy of Henry been attended with any remarkable success, men of refinement and speculation might have discovered its efficacy in the very nature and spirit of his scheme. But the truth is, he recurred to the expedient most convenient to his present circumstances.

THE office of chief governor of Ireland, was not now of so great consequence, or so formidable to the crown as in former times; the vicegerent could no longer summon an Irish parliament at his pleasure, and dictate such laws as might sanctify his factious purposes. The king had therefore the less scruple in vesting his new favorite, the earl of Kildare, with this office, as lord deputy to his son Henry. By marrying a new wife of the family of Saint-John, he had formed an interest in England, and became more nearly connected with the crown. And possibly, by what had been observed of his spirit and disposition, he was deemed well fitted for the direction of a state, which had been lately regulated, and which activity and vigilance, joined with a perfect knowledge of the people to be governed, might easily keep in order. Henry is however said to have detained the earl's son in London, ^{Wares} as a security for the father's conduct. But Kildare, less influenced by fear than by affection to a prince from whom he had received such distinguished favors, entered on his government with a zealous solicitude to support the interest of the crown.

His very name was terrible to the Irish insur- ^{A. D.} gents: he pursued them with an implacable seve- 1491. rity; and drove them from every fort they had contrived to seize. In the North, where his kinsman O'Nial was, in consequence of his connexion with the deputy, a professed friend to English

government, he quelled his opposers, and forced them to submission. In the South he proceeded with the like vigor, to suppress all remains of disloyalty. In the city of Cork, still justly suspected of disaffection, he stationed such a military force as might effectually controul the inhabitants. With the same vigor at Kinsale, he subdued the remains of the faction supported by lord Barry; and obliged them not only to swear allegiance, but to deliver hostages as a surety for their future dutiful behavior, agreeably to those Irish customs which they had adopted. His attachment to the interests of the crown were equally displayed in a readiness to forget all former complaints, and to be reconciled to those who had been the enemies of his family. With the archbishop of Armagh, who had been one of his great competitors, he formed a sincere accommodation, highly acceptable to their common friends. The like placable disposition he affected to discover towards the house of Ormond. Sir James Ormond, now the Irish leader of this family, professed a solicitude to clear himself from insinuations and rumors of his disaffection to the present government, and some secret practices against the deputy. He proposed to attend Kildare at Dublin, in order to explain his conduct in an interview, and came accompanied with a formidable train of armed followers. The citizens were justly offended, and ran to arms. The deputy appointed the cathedral church for the place of interview; and here the two parties attending on Kildare and Ormond, from mutual reproaches, soon fell to mutual violence. The Dublinians were the first offenders, and without regard to the sanctity of the place, discharged a flight of arrows against their opponents, which however produced no mischief but to the fabric and its furniture. Ormond conceived that a conspiracy had been formed to destroy him: but his fears were soon quieted by the deputy, who composed the tumult, and assured him of safety and protection. The

Hollings.

The interview concluded, as usual, with formal declarations of respect and friendship, with real disgust on each side, and all the impression of former animosities.

NOR was the subsequent conduct of Kildare calculated to allay the discontents of those who were the enemies of his house. He acted with too great vigor and too zealous an attachment to the throne, not to provoke those who were only to be contented by the absolute depression of their rival, and who acknowledged no merit in the vigilant and faithful exercise of his power. They saw him pierce into the remoter quarters of the island, and decide all controversies, either by the terror of his name, or the vigor of his operations. Their murmurs and complaints in England, only served to discover their malignity. The deputy repaired to London, there gave the most convincing proofs of his integrity, and was confirmed in his authority. He continued to annoy the insurgents, and to defend the pale. The Irish annalists inform us, that he had artfully contrived to weaken his personal enemies by dividing the family of Butler; that for this purpose he gave his sister to Piers, rival of Sir James Ormond, and supported the pretensions of his brother-in-law, who, according to the customs learned from the Irish, aspired to be chieftain of his sept. We are told that this Piers was persecuted by his rival, obliged to retire with his family, and to live in the greatest penury and distress. Till touched by an accidental complaint made by his wife of the hardship she endured, he issued forth, encountered, and slew Sir James, and thus gained his power and possessions.

REFINED policy formed no part of the character of Kildare; but the scheme of alliance with the powerful chieftains was obviously calculated to support and extend his power, and accordingly we are told that one of his daughters was given in marriage to Uliac of Clanricard, one of the great lords of Connaught, that ruled a powerful sept of degenerate English

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Ibid.

English. As he did not entirely depend for his influence on the royal commission, so neither were his operations confined to the support of government. The disrespectful treatment of his daughter, had a violent effect upon the irritable temper of the earl, and led him to expostulate severely with his son-in-law. Altercations and mutual defiance, ended in a declared war between the powers of Connaught and those of the lord deputy.

CLANRICARD was joined by O'Brien and some Irish associates of Munster. Those of the pale united with the deputy, and were reinforced by O'Nial his kinsman, and other Northern dynasts. Kildare, after an administration of some years, attended with honor and success, was now on the point of hazarding a battle with superior numbers, not for the interests of government, but in a cause where the parties were engaged from private pique, at least from no more reasonable or exalted motive, than that of supporting the honor of some particular sept or district. Kildare, however, took the field in all the state of a chief governor, with the usual attendants of his court, as if he were engaged in the service of his royal master; a parade both offensive and ridiculous to his Irish allies, who contemptuously advised him to dismiss his useless train of bishops and lawyers. The two armies met at a place called Knocktow, a few miles distant from the city of Galway; and when the enemy were surveyed, some lords of the pale, conscious that they had involved themselves in a private quarrel, of a precarious issue, cautiously advised to prevent danger to the state, and the king's displeasure, by retiring. But they had proceeded too far for a retreat; and in the engagement, happily the superior arms and discipline of their forces prevailed over the naked and disordered numbers of the enemy. Their first tumultuous onset was received with such steadiness, by the archers of the pale, and repelled with such execution, that the rout was instantaneous. The victors pursued the slaughter without danger

danger or opposition, and we are told, without any loss, except of a few prisoners abandoned by Gerald, the son of Kildare, who rashly quitted his station in the rear, in order to take an active part in the engagement. The quarrel had been rashly and unwarrantably commenced; but the victory was represented as an honorable and important service to English government. The archbishop of Dublin was sent to Henry to notify the total and final overthrow of all his Irish enemies, by the arms of his lord deputy; an intelligence so pleasing to the king, ^{Was} that he conferred the garter on the earl of Kildare.

THE victory of Knocktow was followed by a complete reduction of the degenerate English clans of Connaught and Munster, by which government was indeed secured from the danger of turbulent insurgents, although the number of faithful subjects was by no means increased. Galway and Athunree, which had been fortified against the deputy, were surrendered; two sons of Uliac Clanricard, who had been made prisoners in the battle, were detained by Kildare as a surety for the good conduct of their father: and the great business of this lord's administration was now to compose the accidental disorders which arose in particular districts, and to fortify the pale by repairing and erecting castles. The provisions made in the parliament of Sir Edward Poynings, had greatly circumscribed the business of Irish legislation. We have short memorials of three subsequent parliaments only during the reign of Henry the seventh. In the fourteenth year of his reign, acts made in England for the punishment of customers controlers, and searchers, were authorised ^{Rot.} and affirmed in a parliament held at Tristledermot, ^{Can. Hib.} and directed to be put in execution, but not till they should be first duly proclaimed in Dublin, Drogheda, and other market towns. In the succeeding year, a duty was granted of one shilling in the pound on all merchandizes imported or exported, except wine and oil, and a tax of thirteen shillings and

and four pence on every plow-land, by way of subsidy for ten years. In a parliament summoned in the twenty-fourth of Henry the seventh, and afterwards prorogued, the only act made, was one for the revival of this subsidy for the same term, with this remarkable provision, that "if this act or grant of subsidy be thought by our sovereign lord the king and his council, hurtful or prejudicial to his subjects of this land, then our said sovereign lord shall, at his will and pleasure, reform, diminish, extinct, adnulle, or revoke the foresaid grant of subsidy, in part or in whole."

From this reign we may date the first revival of the English power in Ireland; which from the Scottish war in the reign of Edward the second, had gradually declined into a miserable and precarious state of weakness. The authority of the crown, which had at last been defied, insulted, and rejected, even in the English territory, was restored and confirmed by a rebellion vigorously opposed and successfully suppressed. If we may judge by the event, it was not caprice and levity, but prudence and circumspection, which determined Henry to reconcile the earl of Kildare to his interests, and to entrust a government which the pressing affairs of England, and the circumstances of his reign, could not permit him to support by a considerable military force, to a nobleman active, generous, of extensive connexions in Ireland, and of a temper fitted to contend with the turbulence of opposers. The seigniorship of the crown of England over the whole body of the Irish, seems in former reigns to have been forgotten; but now we find it formally claimed and asserted, and some of the most pestilent and ferocious of the Irish chieftains, were, by their personal connexions with the deputy, become the avowed friends of the English power. The pale was indeed not yet extended; but it was secured more effectually than in some former reigns. The ignominious tribute for a long time paid to several Irish

Irish chieftains was not withdrawn, but the hostilities of such chieftains were opposed and chastised. Even in their own districts they were made to feel the superiority of English government; and the share taken by the lord deputy in their local quarrels, however it arose from party and family connexion, yet served in the event to preserve the public peace, and to restrain the course of senseless contests, which in the end might affect the English settlements. The still encreasing degeneracy of the English, evidently appears to have been a principal embarrassment to the administration, as it created a number of enemies more inveterate than the old race of natives, as they were conscious that their rebellion would be more rigorously punished.

THIS degeneracy we find commonly imputed to a lawless spirit of riot and disorder, impatient of the restraint of English law; a contagion indeed too readily caught by men who live in a state of perpetual warfare, without refinement or discipline. But some part of it may reasonably be imputed to the weakness of English government, which left remoter districts unrestrained and undefended, so that the inhabitants were necessarily obliged to court the alliance and support of the neighbouring Irish clans. The mutual wants of both parties, induced a correspondence; and that good-natured sociability and hospitality, by which the Irish were distinguished, improved and extended it. The warm and powerful affection of the sexes, free from the artificial restraints of civility and refinement, knows no distinctions of races or families. Laws forbid all intermarrying with the Irish; but laws were insignificant barriers against the propensities of humanity, and the power of mutual intercourse and affection. But whatever causes may be assigned for it, the old English race had by this time proceeded so far towards a coalition with the old natives, that even in the pale, and the very seat of government, the Irish manners and language were generally predominant.

And

And it may be doubted whether such effect could possibly have been produced, if the old natives had ever been possessed invariably and unalterably with that inveterate national aversion, to which their repeated insurrections are commonly ascribed. The solution was easy, and might have served the purposes of a selfish policy; but there are other causes equally obvious to be assigned: and candour must acknowledge that national prejudices and aversions are as generally predominant in those who possess superior power, who are impatient of opposition, and provoked at any appearance of rivalry in men whom they are habituated to regard as inferiors. In the remains of the old Irish annalists, we do not find any considerable rancour expressed against the English. They even speak of the actions and fortunes of great English lords with affection and sympathy. In the memorials remaining of this present period, written by an Englishman, we are told, that immediately after the victory of Knocktow, lord Gormanston turned to the earl of Kildare, in the utmost insolence of success, "We have slaughtered our enemies," said he, "but, to complete the good deed, we must proceed yet further,—cut the throats of those Irish of our own party."

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CHAP. VI.

Accession of Henry the eighth. . . . Ireland neglected. . . . Earl of Kildare lord-deputy. . . . His authority. . . . His death. . . . Its effects. . . . He is succeeded by his son. . . . His parliament. . . . His success. . . . Secret practices of the Butlers. . . . Wolsey displeased with Kildare, . . . who is summoned to England. . . . His marriage. . . . Wolsey's advice for the administration of Irish government. . . . Earl of Surrey lord-deputy. . . . His conduct and success. . . . His advice to the king. . . . Recalled. . . . Succeeded by the earl of Ormond. . . . Whimsical embassy to king Henry. . . . Ormond supplanted by Kildare. . . . who is appointed his successor, . . . Traitorous practices of the earl of Desmond. . . . Partiality of Kildare to his kinsman. . . . He is again summoned to answer to the accusations of his enemies. . . . Acquitted and dismissed. . . . Public disorders. . . . Practices of Francis the first in Ireland. . . . Sir William Skeffington lord-deputy. . . . His instructions. . . . Kildare restored to favour, . . . Death of his enemy Wolsey. . . . Kildare appointed chief governor. . . . His extravagance and violence. . . . Intrigues of his enemies. . . . Their petition to the throne. . . . Kildare commanded to attend the king. . . . Commits the administration to his son lord Thomas. . . . Character and conduct of this lord. . . . Rumours of his father's condemnation and death. . . . Rebellion of lord Thomas. . . . His progress. . . . Miserable death of archbishop Allan. . . . Hostilities against the earl of Ormond. . . . Siege of Dublin, . . . Lord Thomas treats with the citizens. . . . Succours arrive from England. . . . Lord Thomas retires into the West, . . . Skeffington, the new deputy, inactive. . . . Siege of Maynooth. . . . Effect of the surrender of this castle. . . . Cruelty of Skeffington. . . . Desperate condition of lord Thomas. . . . He surrenders to lord Leonard Grey. . . . Death of Skeffington. . . . Henry denounces vengeance against the whole lineage of Kildare. . . . First uncles of lord

Thomas treacherously seized. . . . Execution of the Geraldines. . . . Brother of lord Thomas preserved from the vengeance of the king.

Rapin.

ON the accession of Henry the eight, no considerable attention could be paid to the affairs of Ireland, by a prince in the gaiety of youth, the pride of popular favor, dissipated by pleasure, intoxicated by grandeur, caressed by his subjects, and flattered by foreign princes. He had been seduced by his affectation of policy into insidious treaties, and by his passion for military glory into useless expeditions; and a long series of parade and vanity had elapsed, before he deigned to turn his thoughts to a part of his dominions, where the wisest and most salutary provisions could not indulge his ostentation. His mind had been entirely engaged on the busy scene of foreign wars and politics, really less interesting, but more suited to his fantastical conceptions of glory and greatness. By the artifice of Ferdinand, he had been persuaded to unite in the league formed by this Spaniard, the emperor, and the pope against France. By invading the dominions of Louis, he had been made subservient to the designs of the pontiff against the French dominions of Italy; and to those of Ferdinand, by enabling him to conquer the kingdom of Navarre. Wolsey, by flattering his follies, and providing for his pleasures, had entirely possessed himself of his confidence and affection. Encouraged by the flatteries of this minister, he determined, by his single power to carry on the war against both France and Scotland. The victory of Guinegate gained by Henry in person, and that of Flouden by the earl of Surrey, had enflamed his pride without advancing his interests. Provoked at the repeated perfidy of Ferdinand, and enraged at the defection of Maximilian, who, with extravagance of adulation, had descended to serve in his army, and to receive his

his pay, he made an accommodation with Louis, cemented by the marriage of his sister Mary princess of England.

IN the mean time the neglected state of Ireland ^{A. D.} was left to the guidance of those ministers who had ^{1509.} been appointed by the late king. The earl of Kil-^{Holingsh.} dare was continued in his government, and acted ^{Ware.} with his usual vigor in repelling insurgents, quieting commotions, and deciding contests in different quarters of the island. He was assistant to some of the family of O'Nial in subduing their northern rivals; and in return, these chieftains and their adherents united with him in an expedition into Munster, where he was to oppose a confederacy formed against him by O'Brien, some of the family of Desmond, and a degenerate sept of de Burgo. The strength and address of the enemy here reduced him to some difficulty, and obliged him to an immediate, though not a disorderly retreat. This check, however, was not considerable enough to abate his vigor, or to control his operations. His perpetual excursions, either from public or personal motives, were of singular use in intimidating a disordered people, who were to be restrained from mischief, only by being kept in continual alarm. By encreasing his renown (for in his contracted sphere he had acquired renown) they gave weight and consequence to his government. And those exploits, which are far too minute to be recorded, were yet deemed of such consequence in Ireland, that the sudden sickness and death of this earl in the year one thousand five hundred and thirteen, produced a general consternation among the friends, and a dangerous commotion among the enemies of English government. The army, which he was preparing to employ, suddenly dispersed in confusion; and the English interest seemed abandoned, without defence or resource.

IN this critical emergency, the council and nobles elected Gerald, son to the late earl, lord deputy; a nomi-

a nomination afterwards approved and confirmed in England. This lord inherited all the spirit of his father, and had been frequently distinguished in his wars. The name of Kildare served to collect the scattered troops, and to check the sudden outrages of the enemy. He marched out to the infested quarters, routed the insurgents, and pursued them with considerable execution. Thus in one summer the disorders raised by his father's death were composed; and he was left at leisure to repair to England, to confer with Henry and his ministry, and to receive directions for his future conduct. He returned after a short interval, in which the reins of government were entrusted to lord Gormanston, and convened a parliament. The bills deemed necessary to be passed were transmitted with an exact restriction, that these and these only should be discussed and enacted. A subsidy of thirteen shillings and four pence upon every plow-land was granted to the king for ten years, which now seems to have become the ordinary supply for the maintenance of government. This was attended with a revival of the law against absentees, which vested two-thirds of their Irish revenues in the king, for the purposes of the state. It was ordained by an equitable statute, that no man should be compelled, by privy-seal, to answer any complaint in England, until the accuser enter into recognizance in the Chancery of Ireland, to pay costs and damages if the defendant be acquitted. Some other regulations were made respecting both the commerce and military strength of the state; the use of archery was particularly enforced; and the acts of this immaterial session concluded with a formal confirmation to the present earl of Kildare of the honors, privileges, and possessions, which his ancestors enjoyed.

Red Book
of E. of
Kildare,
MS.

A.D.
1517.
Wars.

From the senate, Kildare was immediately called out to the field. The superstitious Irish had been persuaded by some prophecy, that the present time was appointed by Providence for the restoration of their

their ancient power and splendor; and with this ignorant prepossession, they grew remarkably violent and tumultuous. They rose in arms even in ^{Cox.} the neighbourhood of Dublin; and by the vigor of Kildare suffered the punishment due to their temerity. Their turbulent chieftain, O'Toole, was killed, and his head borne in triumph to the capital. The chief governor still continued his operations; and in the northern and southern districts spread the terror of his arms, and enforced the authority of government.

BUT this successful progress was quickly checked by those family feuds, which ever subsisted among the noble houses of Ireland, even to a degree of insatuated rancor. By the death of Thomas, earl of Ormond, one of the most favored and richest subjects of England, the power and consequence of his noble family devolved, with the title, on Peter, or Piers Butler, as he is called, whose ambition prompted him to support the honor of his house, (which had for some time been reduced to a state of inferiority) and who was still further instigated by the aspiring temper of his wife, to give a vigorous opposition to her kinsmen, the Geraldines. ^{Holingah.} They saw with impatience the present greatness of Kildare; and, stung with the depression of their own family, determined to employ every means of supplanting him. Ormond was sensible that he could not contend with the deputy in the field. His envy was of consequence the more enflamed; and he redoubled his assiduity in the only measure which remained to be pursued, that of practising secretly at the court of England.

THE pride and inexperience of Kildare, conscious both of the nobility of his birth, and the importance of his services, had prevented him from that obsequious attention to the English minister, which the intoxicated arrogance of Wolsey expected and demanded. Ormond, on the contrary, with greater policy, laboured to recommend himself to the

the prelate by every method of insinuation; and having gained his favor and confidence, easily prepossessed him against a rival, who took no pains to counteract this artifice. It was repeatedly insinuated to Wolsey, that all those apparent advantages which Kildare boasted, had really been purchased by a total alienation of the king's revenue, which, without account, or any decent reserve, had been rapaciously collected and diverted to his own emolument, and that of his adherents: that his consequence arose from his connexions with the enemy, with whom he maintained a traitorous correspondence, and by whom he was supported in all his measures, however injurious to the throne, or oppressive to the subjects. Such suggestions were received with favor. Kildare was summoned into England to answer to the charges brought by his enemies; and by the royal permission entrusted the reins of government to Sir Thomas Fitz-Gerald of Lackagh, a knight of his own family.

VAGUE assertions, and general suspicions, could not, with the least appearance of justice, essentially affect him; but the purpose of his rivals was, in a great measure, effected, by removing him from the government of Ireland. As he could not be condemned, so neither was sentence definitively pronounced in his favor; but he was detained until the king and his ministers should have leisure to decide, whether he were to be restored to his station or no. Happily he improved this interval, by marrying Elizabeth Grey, daughter to the marquis of Dorset; an alliance which increased his consequence, and determined Wolsey to act with greater circumspection in his attempts against him. Henry had concluded his treaty with France. Louis had, been succeeded by Francis the first; he had made himself illustrious by the victory of Marignan; Charles the fifth had not only succeeded to the crown of Spain, but was advanced to the imperial dignity. Henry was courted by these great rivals; but

Holingah.

but had as yet taken no decisive part in favor of either. He had the honor of being regarded as the arbiter of Europe; the kingdom of England was in profound tranquillity. In this interval, the crafty cardinal found occasion to represent, that he had been too long diverted from the attention necessarily due to the disordered state of Ireland: that the restless feuds and factions which ever subsisted among his subjects of this country, but too evidently demonstrated the impropriety of committing his government to any person of the Irish race; that he was to seek an active and prudent lord of England, to whom the administration might be entrusted; utterly unconnected with the factions and competitions of Ireland, and indifferent to all contending parties; who might unite those discordant powers which had been wasted in unnatural attempts against each other, and lead them against the common enemy, so as to effect the speedy reduction and regulation of the whole island. The advice was fair and plausible, whatever motives are assigned for it. Thomas, earl of Surrey, son to that earl who had conquered at Flouden, and been rewarded with the dukedom of Norfolk, was now created lord lieutenant of Ireland, and sent to his government with one hundred guards, and one thousand forces of inferior rank.

By this appointment we are told the cardinal gained a double advantage, that of removing a favorite from court, by whom he had been particularly offended, and whose influence he began to dread; and that of preventing Kildare, against whom also he had conceived unfavorable prejudices, from being restored to his government. This lord, however, was pronounced clear of every imputation, and regained his liberty. But instead of returning to his own country, where his consequence was diminished, he wisely contrived to recommend himself to the royal favor, by attending the king to Calais, and contributing to the parade and splendour

Cox.
A. D.
1520.

dour of that interview, which this vain-glorious prince held with the king of France.

In the mean time the earl of Surrey proceeded to a spirited and vigorous administration of his government. A few days had elapsed since his arrival in Ireland; when intelligence was received that Con O'Nial, chieftain of his sept, and distinguished by the title of Boccagh, or the Limper, had taken arms, and invaded Meath. Surrey led out his forces; and whatever hopes O'Nial had conceived from the scheme of surprising a government not yet provided for defence, he had too just suspicions of the fidelity of his own tumultuous numbers, and too much terror of an English army, to encounter the lord lieutenant in the field. He retired towards the North; nor did the enemy pursue him. Surrey was not provided for the maintenance of his army in an expedition through a strange and hostile country, and therefore returned to Dublin. Here he was agreeably surprized by an embassy from his northern enemy. O'Nial utterly disavowed all intentions of hostility; promised that his future conduct should fully prove the sincerity of his attachment to the crown; desiring to be received into favor and protection, as a well-affected, and peaceable chieftain, known to have supported government in former administrations, and still ready to do services to the present governor. His application was favorably received; and the submission of this chieftain was instantly communicated to the court of England, as an event highly interesting, and which promised the most important consequences. It seemed a presage of the general reformation of the whole Island; an object to which the king now gave some transient attention; and had the discernment and ingenuity to declare his opinion that it never could be effected, until all the inhabitants were admitted to the benefits of the English law, without any odious and inequitable distinction. In the mean time
Surrey

Wm.

MS.
Lamb.
C. C. C.

Surrey was empowered and directed to confer the honor of knighthood on the well-affected northern chieftains. A collar of gold was, in the name of the king, presented to O'Nial; and the lieutenant was instructed to use his utmost endeavors to prevail upon him to visit the court of England, so as to correct the rudeness of manners in which he had been trained, and to inure him to civility and refinement.

THE administration of this earl was one continued course of military service, except a short interval of holding a parliament, in which some laws were enacted of too little moment to be recorded. He reconciled contending lords, and repelled insurgents. But such exploits are so little diversified, and are so devoid of any striking incidents, that they elude every attempt to exhibit them in any circumstantial detail. A turbulent sept called O'Moore, founded and settled in Leix, created most uneasiness to the governor and brought his valor to the severest test. In one skirmish his person was exposed to imminent danger. But these tumultuary enemies could not long support a contest against troops more regularly formed, trained and armed. They escaped indeed to their fastnesses; but when closely pursued, and cooped up, they were at once exposed to all the miseries of famine. Their precipitate attempts ended, of course, in a submission; and they made peace (as Surrey expressed it) with the king and his lieutenant.

It was now become in some sort reputable for the Irish chieftains to affect a connexion with English government. O'Donnel, one of the lords of the North, had been lately at Rome, and returned with the most zealous professions of attachment to the deputy, joined with a pompous display of his own great power and consequence. Surrey was so captivated by his promises of submission, that in his letters to the court of England, he represented his affection to the crown, and his own address in gain-

ing such a friend, with equal warmth; but had soon the mortification to find O'Donnel degenerating into the old follies and excesses of his countrymen, and more intent on making war against his rival O'Nial, than performing any services to the king of England.

But however unaffecting the particular incidents of this administration may appear, the general spirit of Surrey's government was such as merits the most honorable remembrance. His justice and equity commanded the love and admiration of the people whom he ruled: his moderation disarmed all opposition and animosity; and the magnificent hospitality of his court, supported without oppression, or any illiberal pursuit of private emolument, was particularly captivating to a generous and unrefined people. To these popular virtues, he added a zealous solicitude for the interests of his royal master, and a vigilant attention to the circumstances of the country in which he was stationed. In the advice which he transmitted to the king, we cannot but acknowledge the soundness of his policy. Sensible of the pride, insincerity, and fickleness of the old natives, he declares against any reliance on their light submissions; that to reduce and to reform the country, it was necessary to quell the enemies of English government by a new conquest; that to subdue the old natives of each province separately, would indeed require but a small force, but would render the complete reduction of the island, the business of a long series of years; that to prevent confederacies, the enemy was to be attacked at once in several districts, which would require an army of about six thousand men, sent, and supported, from England: and that the final conquest must be succeeded by a new colony of English inhabitants—"for, do what we can, the Irish will relapse."

It was the peculiar unhappiness of Ireland, that an English governor, who had abilities to pursue any deliberate scheme of reformation, was generally

MSS.
Lamb.
C. C. C.

so necessary to the more urgent interests of the crown, that he could not long be spared to this service, or so ill supported and supplied from England, that he could not continue in it with honor and advantage. Surrey had received but irregular and scanty remittances, and therefore expressed his desire to be recalled; and as Henry, seduced by the artifice of the emperor Charles, had once more declared war against France, he was appointed to command the forces destined to invade that kingdom. After a government of two years, he returned to England with the prayers and acclamations of all the Irish subjects. The less discerning paid this tribute to his equity and generosity; those more sagacious and politic had good reason to lament his departure, which exposed their country once more to the factious contests of their own rival lords, and removed the only restraint which could prevent the fickle and turbulent race of Irish natives from renouncing their submission, and relapsing into their usual disorders.

This lord, during his residence in Ireland, had, MSS. conceived unfavorable sentiments of Kildare, Lamb. whose enemies in his absence gained full possession C. C. C. of the governor. Some of the Irish insurgents had even pleaded in excuse for their hostilities, that they had been seduced by the secret practices of this lord, and although there appeared no sufficient ground to support this charge, yet such was the effect of repeated clamor and artful insinuation, that Surrey had represented the earl of Kildare to Wolsey as a man utterly unfit to be entrusted, and one whose influence in Ireland was too extensive and alarming, and who should by no means be permitted to return to his own country *. The cardinal was prepared to receive such impressions, and so far

* An Irish lord, called Donough O'Carrol, furnished Surrey with a proof of these his allegations, in a short letter which he deposed to have received from the earl of Kildare, and which was transmitted into England. I transcribed it from the original letter of the earl of Surrey, among

far had they prevailed on the king, that Surrey was commanded, at his departure, to commit the government to his chief friend and counsellor, Pierce, earl of Ormond, the known rival and inveterate enemy of Kildare.

Waro.
A. D.
1521.

THIS lord, who had not the same extensive views of policy with his predecessor, deemed it sufficient to make the best provision in his power for the security of the pale; and as a considerable body of forces had been withdrawn on the departure of Surrey, he solicited from the court of England a few ships of war to be stationed in the channel, so as to intimidate the suspected Irish, and to prevent the Scottish rovers from pouring into Ireland, and infesting the English settlements. But he was more indebted for the security of his government, to the mutual quarrels which raged among the great lords of the Irish race, than to any provisions which he could make, or which the court of England could spare from Henry's foreign concerns. The ease and precipitation with which those chiefs who had but now made formal submissions to the crown, took arms on any slight pretence of quarrel with their neighbours, shew their disregard to the present governor and his power. The king's deputy had for some time been used to interfere in their local quarrels, to act as umpire between contending chieftains, and even to enforce a strict obedience to his decisions. Several of these native lords now made peace

among the manuscripts of Lambeth, No 601. CCC. page 64. It is conceived in the following terms.

"Life and health to O'Carrol from the earl of Kildare,

"There is no Irishman in Ireland that I am better content with than you; and whenever I come into Ireland, I will doo you good for any thing ye shall doo for me. And any displeasure that I have doon to you, I shall make you amends therefor; desyiring you to kepe good peace to Englyshmen, tyll an Englysh deputy come there; and when any Englysh deputy shall come thydder, doo your best to make war upon Englyshmen there, except suche as be, towards me, whom you know well yourself."

peace in form with the king and his lieutenant; but it required a vigorous and respectable government to bring them even to the appearance of making peace with each other: nor could the lowest dynast part with his favorite ideas of importance and independence. Of this we find a notable instance in the present period. Mac-Gillapattrick, the Irish chieftain of Ossory, had received some injury from the earl of Ormond, or at least found some pretence of complaint against the present deputy, better known among the Irish by the name of Piers the Red. In all the dignity of offended grandeur, he determined to apply to the king of England for redress; but not with the humility of a suppliant or a subject. His ambassador was sent to the court of England, to obtain justice, or else to denounce the vengeance of an injured potentate. He appeared at the chapel door, when the king was going to his devotions, and advancing with a composed and undismayed gravity of deportment, delivered his commission in these words.—*Sta pedibus! Domine Rex!—Dominus meus Gillapatricius me misit ad te et jussit dicere, quod si non vis castigare Petrum Rufum, ipse faciet bellum contra te.* We are not informed whether Henry was amused or provoked at this incident, or whether the importance of the Irish ambassador received the mortification of a total neglect. Piers the Red, it is certain, was not corrected, and the hostilities of Mac-Gillapattrick were not found to have a very extensive or severe effect.

THE discontent and opposition to the government of Ormond, were increased by the return of the earl of Kildare, who, though he at first affected to co-operate with the king's deputy, and in his zeal to suppress the Irish insurgents had fallen into an ambush, and been exposed to imminent danger, yet really hated his old rival, practised secretly to raise a factious opposition to government, reviled and vilified the administration, and gradually avowed his enmity to Ormond with less and less reserve.

A favo-

A favorite attendant of this earl had been slain in a petty brawl with one of the family of Kildare, an incident which gave free course to the mutual animosities of these lords. Each remonstrated warmly at the court of England against the conduct and designs of his rival. Commissioners were appointed to repair to Ireland, and there to examine into the allegations of each party. The earl of Kildare, notwithstanding any former proofs of his disaffection and dangerous practices, was supported in this contest by his powerful connexions in England. Sentence was readily pronounced in his favor; and, to complete his present triumph, he was appointed successor to Ormond, to the entire satisfaction of his numerous adherents of the Irish race, of whom Con O'Nial, the most powerful, now affected an entire attachment to the throne; attended on the government in Dublin, and was there seen bearing the sword of state before the new deputy, his kinsman.

KILDARE had not long enjoyed his high honor, when the ambition of his kinsman Desmond threatened to involve him in disgrace and danger. The lord of this name continued, like his predecessors, to live in the rude magnificence of his claiming the privileges of absenting himself from parliament, and never on any summons or demand being obliged to come within the walls of a fortified town*. The slender fibre of allegiance, which still remained unsevered, was easily torn away

* The reason or first origin of claiming this latter privilege I do not find distinctly specified: but it seems to have been suggested by the fatal rashness of the earl of Desmond, who, in the reign of Edward the fourth, resigned himself up to the lord deputy Tiptoft in Drogheda, and being thus separated from his rude followers, was forced to submit to the sentence of the law. To confirm this conjecture, I find, among the MSS. of Lambeth, a third privilege claimed by this great family, that of being for ever exempt from attending on a chief governor, in any place, or on any occasion whatever.

away by the slightest effort. Henry had again been ^{Cox.} seduced by the emperor to declare war against ^{A. D.} France; to embarrass his operations, Francis ^{1523.} the first determined to raise some commotion in Ireland; and for this purpose a negotiation was opened with the earl of Desmond. The monarch flattered the vanity of this unexperienced lord, by affecting to regard him as an independent prince: their treaty was conducted on each side in all the forms of sovereign dignity: Desmond bound himself in the strictest bands of amity to his good ally of France: the king with the same solemnity engaged in an offensive and defensive league with Desmond. The fatal action of Pavia prevented Francis from employing his new ally to any important purpose; and the discovery of this transaction enraged Henry to the utmost against the Irish earl and his presumptuous treason. Orders were immediately dispatched to the lord deputy to seize the earl of Desmond; but these orders were evaded with a manifest partiality to his kinsman. Kildare indeed ^{A. D.} led his forces into Munster; Desmond retired, and ^{1524.} was not pursued. The Irish leaders of the North grew restless and turbulent. Kildare was more solicitous to espouse the cause of his friend and kinsman Con O'Nial, than to take Desmond prisoner. His enemies, who watched and interpreted his motions with severity, inveighed against this duplicity, and accused him at the court of London, as having formed traitorous connexions with the king's enemies, conspired against the peace and welfare of the late lord deputy, encouraged the Irish to assist the earl of Desmond, and instead of reducing this delinquent, favoring and secretly supporting him. It was even alleged that his letters had been intercepted, in which he clandestinely invited Desmond to an interview, that they might concert the measures necessary for their common interests; and such ^{A. D.} was the effect of these representations that Kildare ^{1526.} was called into England, summoned to answer to the

the charges urged against him, and after a long confinement, with difficulty released by the interposition of his English friends, of whom a large and respectable body became sureties for his future faith and allegiance.

Ware.

IRELAND in this interval was exposed to all the evils of short-lived, feeble, and disorderly administrations. While the attention of Henry was totally absorbed by the brilliant and important affairs of his reign, the royal interests in this country were abandoned to the direction of any lord, either of Irish or English birth, who could with decency be entrusted with the administration. The baron of Delvin first engaged in it, was despised and invaded by the Irish; and at a parley, to which he had been seduced by O'Connor, chieftain of O'Fally, was seized and confined in prison. Piers, earl of Ossory, (for he had resigned the title of Ormond to Sir Thomas Bullen) was substituted in his place, by authority of the council, until the royal pleasure should be known; but neither his strength nor influence was sufficient to procure the enlargement of lord Delvin. Kildare, though at a distance, harassed him with an implacable enmity. His daughter, wife to lord Slane, a lady of an active and enterprising spirit, was dispatched from England, to raise a faction against Ossory, under pretence of supporting the interests of her house; and soon contrived to involve him in different contests with her partizans of the Irish race. The whole land seemed on the point of consummate anarchy, nor were the foreign enemies of Henry inattentive to foment the disorders, or to take advantage of the present dispositions of the leading chieftains of Ireland. During the violence of the process against Catharine of Arragon, when France and England declared war against the emperor, Charles, in the bitterness of resentment, laboured to raise an insurrection in Ireland, and for this purpose entered into a formal negotiation with the earl of Desmond; but this treaty,

Ir. Stat.
28 H.
VIII.

Ware.

treaty, as well as that of Francis the first, was rendered ineffectual by the death of the earl, as it is ¹⁵²⁸ generally represented.

Nor did the state of Ireland receive any considerable alteration from the appointment of Sir William Skeffington, an English knight, to the government, as deputy to the duke of Richmond, the king's natural son, who was created lord lieutenant. If we may judge by the instructions he received, no great hopes were formed from his administration; except perhaps from his address and policy; for while he was commissioned to hold a parliament, at the same time he received it in charge, if possible, to procure a subsidy previous to its meeting. But as to military affairs, he was directed to act entirely on the defensive, and to engage in no expedition against the Irish, unless expressly authorized by advice of the privy council. He was instructed to regard the earl of Kildare, now again restored to the height of favor, as his chief director, to support this nobleman in all his enterprizes; but still with a cautious and conciliating management to prevent all feuds between the Geraldines and the family of Butler.

KILDARE at first affected the most cordial zeal in Ware co-operating with this new deputy, who, by his assistance and direction, had the credit of successfully repelling some Irish insurgents, and reducing their chieftains to a submission. But a lord of such extensive influence, accustomed to govern, enflamed with pride, and flattered by his followers, could not long support the mortification of acting an inferior part to an English knight. He sought causes of complaint, and found various opportunities of distressing and opposing the deputy. Intelligence of the disgrace and death of Wolsey was brought into Ireland, and received by Kildare with the utmost joy. The apprehensions from his old and powerful enemy being once removed, he proceeded with-

out reserve. He made the most unfavorable representations of Skeffington and his conduct at the court of England ; and by the unceasing assiduity of his emissaries, their plausible representations, and the power of his friends in England ; prevailed with the king to recal his deputy, and once more to entrust the reins of Irish government to his own hands. To preserve an appearance of impartiality towards the great factions of the kingdom, lord Butler, son to the earl of Ossory, was made lord high-treasurer ; but this appointment could have little weight in forming a balance against the power of Kildare, when he contrived at the same time to have Alan, archbishop of Dublin, a favorite of cardinal Wolsey, deprived of his office of chancellor, and the seals committed to his own creature, Cromer, primate of Armagh.

A. D.
1532.

Wars.

THE exaltation of this earl seemed now confirmed beyond the power of opposition ; and he used it without moderation or reserve. Instead of the state and dignity of a vice-gerent, he affected the rude grandeur of an Irish chieftain, and stood at the head of a wild and rapacious multitude of followers, to the annoyance and terror of those whom he was appointed to protect. Those lords of the old Irish race, who had ever appeared the most unfriendly to English government, crowded round him, and were received as his kinsmen and associates. Two of his daughters were given in marriage to O'Connor of O'Fally, and O'Carrol, two powerful chieftains. The laws which forbade such connexions were treated with scorn ; nor was the administration of government at all regarded, but as it contributed to establish his own personal influence and authority. Attended by an armed rabble, he could at any time execute his revenge, under pretence of maintaining the royal service. Ossory and all his friends were treated as enemies to the state ; their lands invaded and ravaged without mercy ; and all but the partisans of Kildare seemed to be excluded from protection,

tection. A wound in the head which the deputy received, by engaging in the private quarrel of one of his sons-in-law, was thought to have disordered his intellects, and increased his extravagance. The enemies of his house were enflamed with indignation; the officers of state, and all those more immediately dependent upon English government, were justly terrified at a conduct which threatened utter subversion to the interests of the crown.

GOVERNMENT and politics had for some time become an interesting subject of disquisition, and were one of the first studies resumed on the revival of letters. Men began to trace the rise, progress, and declension of states, the defects and the corruptions of administrations, the sources of civil happiness, and the correction of public evils. Those Englishmen who had left their native country, and by being employed in the service of the crown, had acquired permanent settlements, and established families in Ireland, soon found these subjects of speculation peculiarly necessary to be pursued; and the most penetrating among them were led, by the disorders of their new residence, to enquire minutely into the rise and progress of the English power in this still distracted island, the causes of the calamities they observed, the relaxation of government, and the declension of the English interest. To this we owe the memorials composed by Finglass, baron of the Irish Exchequer, and other writers of this period, still remaining in the repositories of curious papers.

SUCH men could not behold the present conduct of Kildare, without the most melancholy presages. They held their meetings, and were readily joined by his personal enemies. They communicated their apprehensions, and found a ready concurrence of sentiments. They considered the disorders of the realm minutely, and unanimously resolved to lay them before the throne. Alan, archbishop of Dublin, the

Herbert

Stanh.

Coz. ex
MSS.
Lamb. H.

the deprived chancellor, took the lead in those secret consultations. He had been trained in the scene of political intrigue by his patron Wolsey; he had served him as judge in his legantine court, with an attention and assiduity neither upright nor honorable; and though accused of misdemeanor, and dismissed from this office, he was still protected by the cardinal, and proved an useful and active agent in his favorite scheme of the suppression of monasteries. The jealousy which Gardiner conceived of this favorite is said to have been the occasion of his removal to Ireland, where he adopted the prejudices of his patron against the Geraldines. On the present occasion he was assisted by the earl of Ossory and Sir William Sheffington, no less from revenge and personal animosity, than from a regard to the public service, and by their united zeal and activity, the design was soon brought to maturity. It was resolved to make the master of the rolls their agent at the court of England, and to commission him in the name of the lords of the council (for the major part had concurred in this scheme) to lay the present state of Ireland before the king, and to implore his timely interposition.

INSTEAD of confining themselves to the manifest irregularities of the earl of Kildare, they entered into a detail of all the grievances of the subject, and the weakness and disorders of the state. They represented to king Henry the confined extent of the English laws, manners, language, and habit, at length reduced to the narrow compass of twenty miles: the melancholy consequence of those illegal exactions and oppressions, by which the English tenantry had been driven from their settlements; the grievous tribute that the remains of these loyal subjects were obliged to pay to the Irish lords for a precarious protection: the enormous jurisdictions granted to lords of the English race, which favored their oppressions, and stopped the course of justice;

justice; the rabble of dissaffected Irish settled purposely on their lands, whom they oppressed with impunity, and whom they found their readiest instruments for opposing others; the negligence of the king's officers in keeping the records; their unskilful conduct in the Exchequer; but above all, the alienation of the crown lands, which reduced the revenue to a state of dangerous insufficiency, and left the realm without succour or resource. Many of the public disorders they ascribed to a too frequent change of chief governors; entreating the king's highness that for the future he would be graciously pleased to entrust the charge of his Irish government to some loyal subject sent from his realm of England, whose sole object should be the honor and interest of the crown, unconnected with Irish factions, and uninfluenced by partial favor or aversion.

THIS application was too interesting, and too well supported, to be received with indifference; and ^{Stanish.} the violence of the king's temper readily fixed on the earl of Kildare as the proper object of his resentment, even in those points which were not directly charged as his particular misdemeanors. He ^{Wasa.} received the royal mandate to commit the government to some person for whose conduct he could be responsible, and to repair to the king without delay. The earl, conscious of his own irregularities, and awakened to an alarming sense of the secret practices of his enemies, laboured, by every artifice, to evade this order; pleaded the situation of his government, and the insurrections of the Irish, which rendered his absence highly inconvenient to the king's service; his wife was dispatched into England to prevail upon her friends to enforce and support these allegations; but to no purpose; the king was inflexible, and the earl had no course left but to obey. As he had but too good reason to dread that his own outrages on the possessions of his rivals would be severely retaliated in his absence,

sence, it was his first care to supply his castles with arms and ammunition from the king's stores, without regard to the haughty mandate, delivered in the king's name, forbidding this measure; and thus he unhappily raised suspicion of some attempt to be made against the crown. But the step still more fatal, was that of entrusting the administration of government, on his departure, to his son Thomas a youth scarcely arrived at the age of twenty-one years.

A. D.
1534.

Stanib.

LORD Thomas was of a captivating person, and of endowments sufficiently amiable in the public eye, which looks with indulgence and partiality on a youth of noble birth: but to the rashness of youth, and a natural violence of temper, he joined an extraordinary portion of the pride of family, an insolent contempt of the rivals of his house, and a boyish confidence in the power of the Geraldines, which he conceived that no force in Ireland could withstand. He treated the lords of the council with petulance; was obstinate, credulous, and precipitate; and thus at once exposed to the artifice of his enemies, and the adulation of his friends. His father, it was known, had been committed to the Tower; but at a time when no regular intercourse was established between the two kingdoms, any certain intelligence was difficult to be obtained; conjectures were carelessly formed, and rumours spread abroad, that the earl had been executed, and that his whole family was threatened with the royal vengeance. The partizans of the house of Butler, and the dependents of Skeffington, received these reports with eagerness, and conveyed them to their associates with the utmost exultation. Some of their letters on this occasion were casually intercepted, and brought to the lord deputy, who was thus confirmed in the persuasion that his father had been put to death. He consulted with his Irish associates; they advised him to revenge the injuries of his family; they promised assistance; and lord Thomas was at once plunged in a desperate rebellion.

ATTENDED

ATTENDED by a body of one hundred and forty ^{Stanib.} well armed cavalry, he entered the city of Dublin, and rushed tumultuously into the council then assembled in Saint Mary's Abbey, with all his rude and disorderly followers. The lords were alarmed; but Thomas soon quieted their apprehensions. He assured them, that however injuriously his family had been treated, and however he was now obliged to take arms for avenging his father's death, and defending himself from cruelty and tyranny, he yet determined to proceed with the generosity of a soldier, and to denounce a fair and open war; that he resigned the sword of state, and was determined to depend upon his own weapon; he warned them to avoid him as an enemy; for that he was no longer the deputy of king Henry, but his mortal foe.

THE lords, who had no previous intimation of this wild design, were confounded and astonished. Cromer, the primate and chancellor, had been informed of it; and with great composure took the young lord by the hand, and requested to be heard in a few words. He pathetically represented the rashness, weakness, and iniquity of his present attempt, grounded on uncertain rumour, and utterly unwarrantable, even if this rumour should be confirmed; the extreme weakness of supposing that a whole kingdom could be reduced by his force; or, if reduced, that it would not instantly be recovered by the king; the well known fickleness of his present followers, who, on the very first alarm or accident, would fall away at once, and leave their leader to the vengeance of a powerful and incensed monarch; the utter ruin and dishonor in which he now threatened to involve his whole family; the calamities which he was preparing for his country; the desolation and carnage, which would render him the general execration of his fellow-citizens, and send him to the divine tribunal covered with the guilt of innocent blood. He conjured him to consider

sider the duty he owed to himself, to his family, to his country, to his king, and to his God; and to desist, before his offence should become too enormous for the royal clemency to pardon.

Stanh.

His speech, delivered with emotion, was received with a stare of ignorant surprize by the Irish followers of lord Thomas, who were strangers to the language in which it was delivered, and interpreted it according to their own rude ideas. They conceived that the prelate encouraged him to his enterprize, and was pronouncing a passionate encomium on the brave and noble youth. One of their native bards, who attended in his train, that he might not be outdone in his own profession, instantly began to chaunt out the praises of young Thomas in his country rhymes, the gallant SILKEN lord, (for so he stiled him, from the richness of his dress, caparisons, and attendants) extolling his greatness, magnificence and valor, chiding his delay, and calling him to the field; and the effusions of an ignorant rhapsodist had unhappily a greater influence than the sage counsels of the prelate. The young Geraldine rushed forth at the head of his Irish train. As the men of Dublin were not provided to oppose him, and had been lately weakened by the plague, he hovered about the city unmolested, collecting his followers, and concerting his operations; and as the Irish septs readily joined his standard, he was soon enabled to traverse the pale with his tumultuary army, exacting an oath of fidelity of the inhabitants; and seizing and imprisoning those who refused to concur in his rebellion. At the same time his emissaries were dispatched both to the pope and to the emperor Charles, from a vain expectation of receiving foreign succours.

Ibid.

THE devastation of that district called Fingal, the granary of Dublin, obliged the citizens to make some effort to oppose this insurrection; and an unsuccessful skirmish with a detachment of the Irish army,

army, served to encrease their insolence. Lord Thomas appeared before the gates of Dublin, threatening to destroy the whole city with fire and sword, unless the citizens should consent to permit his men, without molestation to lay siege to the castle. To this place archbishop Alan, the known enemy of the Geraldines, and other lords and officers of state, had fled for shelter. The constable collected his stores and provisions from the city; and relying upon his strength, and the insufficient attempts of the enemy, consented that the citizens should save their habitations from the havock of a barbarous army, by treating with lord Thomas upon his own terms. Alan, more timorous, and reflecting that he of all others was most obnoxious to the rebels, as he had been the chief instrument in the disgrace of the earl of Kildare, determined, without waiting the precarious event of war, to seek refuge in England. A vessel was provided with the utmost secrecy, and the prelate embarked; but whether by the perfidy or unskilfulness of the pilot (a Fitz-Gerald) the ship was stranded near Clontarff, and Alan soon discovered by the enemy in an adjacent village. They dragged him from his bed in barbarous triumph, and led him, naked as he was, to their captain. The prelate fell on his knees before him, imploring mercy for a Christian and a churchman. The young lord without deigning to reply, turned his horse and exclaimed in the Irish language, "Away with the churl!" His caitiffs, interpreting the expression in the most malignant sense, while the wretched suppliant still lifted his hands for mercy, assailed, and hewed him to pieces.

It is not reasonable to imagine that this act of barbarity had been intended by lord Thomas. His bitterest opposers, when they fell into his hands, were only detained prisoners; and, notwithstanding the deadly feuds which had subsisted between his family and the house of Butler, he now sent a mes-

Stanik. messenger to the earl of Ossory, reminding him of their connexion and affinity, entreating that all former complaints should be buried in oblivion, inviting him to unite with his kinsmen and countrymen in the common cause of liberty, and to share the glory and the advantages of rescuing the land from tyrannical oppression. He even proposed in express terms, that Ireland, now to be reduced by their united powers, should be equally divided between them; but the proposal was received with a disdain and defiance, intolerable to the spirit of the young leader; and determining to chastize the earl he committed the siege of Dublin castle to a detachment commanded by some of his favorite adherents, and marched with his main body into the demesnes of Ossory. A weak effort made to oppose him by the son of this earl ended in his defeat. The whole princely extent of the earl's lands were at once forsaken by the inhabitants, and exposed to the ravages of a triumphant enemy, who rioted in full security, without any reasonable or well concerted scheme of war, or any immediate object but that of excess and plunder.

Ibid. But from this state of security they were soon recalled by intelligence received from Dublin. One of the magistrates had been dispatched to the court of England, to inform the king of the rebellion raised by young Fitz-Gerald, and to request such succors as might enable his loyal subjects to subdue him, and restore the tranquillity of the state. The messenger was now returned with letters from Henry, commending the conduct of the citizens, encouraging them to oppose the rebels with the utmost vigor, and assuring them of an immediate and effectual support. The inhabitants, animated by this intelligence, were readily persuaded that no faith or truce was to be kept with traitors. They suddenly shut their gates; and the party who had by compact been admitted to batter the castle, were cooped up, and destined to destruction. Some few
con-

contrived, in the first confusion, to plunge into the river, and escape by swimming; far the greater part were overpowered and made prisoners. Lord Thomas affected the utmost indignation at this treachery of the Dublinians, threatened the severest vengeance, summoned all his adherents of the pale to attend him before the walls of Dublin, where he himself appeared, and demanded that his men should be released. As this was peremptorily refused, he formed the siege, for which his disordered numbers had neither sufficient skill, nor necessary provisions.

THE repeated ill success of his most vigorous assaults, rendered his cause every day more and more desperate. The citizens were animated still further ^{Stanish} by receiving a convincing proof that many of his followers had been compelled to join in the rebellion, and were secretly well affected to the interests of the crown. Great numbers of the arrows shot over the walls, were found to be headless, and several of them conveyed letters of intelligence to the besieged. Just at the moment, when, with an effort of desperation, the furious Irish had set fire to one of their gates, the citizens rushed out, exclaiming that the royal army was arrived, dispersed and pursued them with considerable slaughter, and had well nigh taken their captain. The pride of lord Thomas was thus severely mortified: serious and melancholy reflections on his present dangerous situation succeeded to his wild dreams of conquest and dominion. He proposed to raise the siege, provided that his men were released, that the citizens should supply him with money, ammunition, and artillery, and that they should use their good offices with the king to grant full pardon to him and his confederates. The demand of money and stores was rejected with disdain; but as he had seized a number of the children of citizens who had been removed from Dublin during the plague, they consented

sented that his soldiers should be exchanged for these. They also promised to use their best offices with the king that he might obtain mercy ; and lord Thomas, in his present dejection, accepted these conditions, and drew off his army.

THE next attempt of this desperate leader was to oppose the forces sent from England, and whose transports now appeared in the harbour. By going to review the state of his garrison at Maynooth, the strongest of his castles, he had already suffered one detachment to make good their landing on the northern shore, but before they had gained the city, he encountered them vigorously, and was received with equal vigor. The contest ended in the total discomfiture of the English party, notwithstanding all the brave efforts of their commander, who had the honor of encountering and wounding lord Thomas. His whole number was either killed or made prisoners ; and the rebels, elevated with their victory, planted their artillery upon the promontory of Howth, and thundered upon the vessels at anchor, and others advancing towards the shore with fresh supplies. But although he obliged these to bear away to sea, and that a vessel laden with horses for mounting the cavalry was taken by one of his active partizans, yet Sir William Brereton, a brave English knight, with about five hundred men, contrived to land on the opposite coast, and entered the city. He was followed by Sir William Skeffington, appointed lord deputy, with another troop, and several gallant officers, sent by the king to assist him in this emergency. The public rejoicings in the city, were heard in the enemy's quarters : and lord Thomas had now no measure to pursue, but that of a speedy retreat into Connaught, to practise with the Irish chieftains, and, if possible, to procure such a force as might enable him to meet the new governor in the field.

THE

THE approaching severity of winter prevented Skeffington from pursuing him, or extending his operations into the distant quarters of the island. Nor was the temper of this governor fitted for a vigorous pursuit of war. He marched as far as to Drogheda, from an apprehension that lord Thomas intended to invest this city; and finding that he had retired into the West, returned to the seat of government. The rebellion seemed to have been forgotten; it was even reported that the deputy had consented to a cessation of arms. Lord Thomas in the mean time received assurances of support from O'Nial and O'Connor; he was still master of several castles, strongly garrisoned and well-provided, so as to be enabled to distress the English government essentially, unless he were opposed with alacrity and vigor. The military officers represented the necessity of a spirited conduct; and grew dissatisfied with a governor, whose bodily infirmities encreased the languor and relaxation of his mind. In the ensuing spring it was at length determined to invest the castle of Maynooth; and this service was entrusted to the conduct of Sir William Brereton.

To his summons the garrison returned an insolent defiance; and such was the strength of this place, or such the unskilfulness of the besiegers, that fourteen days were wasted without any effect or impression, nor did the besieged seem to entertain any doubt of being able to defend a place so well provided, until lord Thomas should come to their relief. But the treachery of one of their own party defeated these expectations. The foster-brother of lord Thomas, called Parese, the man who, by virtue of this relation, should have adhered with an exemplary fidelity to his interests, entered into a secret treaty with the English commander, and betrayed the castle for a stipulated reward. As he had neglected to make any conditions for the security of his person, the Irish annalists inform us that Skeffington,

sington, on entering the fort, first paid him the price of his perfidy, and then ordered him to immediate execution.

Stanish.

THE young Geraldine in the mean time led a tumultuary army from the provinces of Ulster and Connaught to the relief of his castle, which, when the numbers only were considered, seemed truly formidable. But no sooner had they been informed of the taking of Maynooth, than with an utter disregard of their leader, whose merit and dignity were measured by his success, they deserted in great numbers. With the remains of his faithless army, which at first amounted to seven thousand men, lord Thomas still ventured to seek the deputy in the field. One hundred and forty of his Gallowglasses had the misfortune to be intercepted and made prisoners; and as intelligence was received that the rebels advanced and prepared to give battle, Skeffington, with a barbarous precaution, ordered these wretches to be slaughtered; an order so effectually executed that but one of all the number escaped the carnage. It soon appeared that even the melancholy plea of necessity was wanting to palliate this horrid cruelty. The inconsiderate Irish, who had not abandoned lord Thomas shrunk at the first discharge of the English artillery: they had marched in obedience to their chieftains; but, on the first appearance of danger, fled from a contest, in which they deemed neither their interest nor their honor in the least concerned.

FROM a daring rebel at the head of a formidable army, the unhappy young lord now found himself reduced by his folly to a wretched out-law, attended only by some partizans of his family, and able but to make a few predatory excursions from his miserable retreats. Some trivial advantages which he obtained, served not so much to distress the governor, as to insult his infirmity. Driven from one scene of wretchedness to another, he at length contrived

contrived to escape into Munster. It seems not improbable by this motion, that the unfortunate lord conceived some hopes of assistance from his kinsmen of the house of Desmond. But effectual care had been already taken to prevent it. The earl of that name had lately died, and the right of succession was contested between his son and one of the family called Sir John Desmond, who contrived to get possession of the lands; with this Sir John, Henry deigned to enter into a correspondence; and in a series of letters, partly by promises, and partly by menacing, prevented him from giving any effectual assistance to Fitz-Gerald, who was soon followed into Munster by lord Leonard Grey, his kinsman, one of the most active and warlike attendants on the lord deputy. Inconsiderable skirmishes, fought without any decisive advantage on either side, served to alarm the English forces with the danger of an expedition in an unknown country, against an enemy whose real strength was not discoverable and at the same time to render the situation of Fitz-Gerald more and more desperate. The English officers were urgent with lord Grey to enter into a treaty with the rebel leader, and, if possible, to induce him to a peaceable submission. Overtures were proposed, and readily accepted on the part of Fitz-Gerald. Some of his most zealous adherents had been seized and suffered death for their concurrence in his scheme of wild and weak rebellion; he was abandoned by those on whom he chiefly relied; even O'Nial and O'Connor were preparing to make their peace: nothing remained for this hopeless young lord, but a submission. Stanishurst is positive that he stipulated expressly for the security of his person; that he received the lord deputy's faithful promise of a pardon; and that their covenants were sealed by a public and solemn participation of the sacrament. However this may be; he certainly received such assurances of favor, and at least of a powerful recommendation to the king, that

MS. Trin.
Col. Dub.

that he consented to dismiss his troops, and to attend lord Grey to Dublin.

Cox, ex
MSS.
Lamb.
H.

THE suppressing this rebellion, and receiving the submissions of O'Nial and O'Connor, closed the administration of Skeffington, who in these transactions had no great personal merit, at least was represented to the king's English ministry as an inactive and insufficient governor. The officers of state transmitted the most affecting representations of the misery and desolation of the pale, assured lord Cromwel, to whom they addressed their letters, that the rebel Fitz-Gerald had frequently escaped by the indolence of the governor; that as he lay at Maynooth, he suffered the rebels to insult him, even under the very walls of his castle; that his transactions with the Irish chieftains were futile and nugatory, for he had accepted their fair promises, without demanding hostages, or any security for their adherence; that the whole state of Ireland must have fallen to utter ruin, but for the services of Sir William Brabazon, who had been sent thither with the title of vice-treasurer, and those of lord Leonard Grey, whom the king's service absolutely required to be appointed lord deputy in the place of Skeffington, with a power of convening an Irish parliament. And their desires were speedily gratified. Sir William Skeffington ended his days near Dublin; lord Grey on his decease was chosen deputy by the council, until the royal pleasure should be known and their nomination was soon after approved and confirmed by the king.

In the mean time lord Thomas, the unhappy author of the late disorders, was sent into England, and prepared to cast himself at the king's feet, in full confidence of pardon. But whatever were the promises of the Irish deputy, or however favorable the recommendation of the Irish council, the king was too violent in his temper, too grievously provoked, and too much prepossessed by the enemies of the house of Fitz-Gerald, to think

think of mercy. The young lord was arrested on his way to Windsor, and conveyed to the Tower. He had now the severe mortification of discovering that he had been driven to all his extravagances, by rash suggestions and lying rumors; that his father had not been put to death, but had lived to hear of the rebellion of his son, and sunk under the severe impression of anguish which this intelligence had occasioned. He was for a while left to the tormenting sense of his folly; for the vengeance of such a prince as Henry was not to be appeased by a single victim. He affected to consider the suppression of the late rebellion as a new conquest of Ireland; and proposed it as a question to be debated in his council, whether he had not now acquired a right to seize at once on all the estates of this kingdom, spiritual and temporal. But above all, he breathed the most furious revenge against the whole lineage of Kildare. The new lord deputy received orders to seize five uncles of lord Thomas, and to send them prisoners to London. Of these, three were known to have entirely disapproved and opposed the insurrection of their nephew, and the whole number had reason to expect impunity, from the treaty made with the rebels. But this confidence proved their snare. They accepted the invitation of lord Grey to a banquet, an insidious and dishonorable artifice of this lord to get them into his power; they were first feasted with all the appearance of amity then made prisoners, and conveyed to London. The uncles and the nephew were condemned, and suffered the punishment of high-treason. The emissary, which the vain young lord had sent to Charles the fifth, arrived when the intelligence of this fatal catastrophe had already been conveyed to the emperor's court.

THERE was a younger branch of the family of Kildare, Gerald, a youth of about twelve years, brother to lord Thomas; and the vengeance of the king pursued even this helpless and guiltless infant.

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various errors which had overspread religion in times of darkness; was for a while weakly opposed, was strenuously supported, and, boldly striking at the foundation of the whole pernicious system, inveighed against the domination of the pope, denied his infallibility, and taught his disciples to renounce all human authority, and to resort to the word of God, as the true standard of christian faith and duty. Several circumstances conspired to favor the reception of these doctrines. They were embraced with ardor, and propagated with indefatigable zeal; and the papal power had received its deadly wound, even before the danger had been attentively considered.

IN England, which had tasted the bitterness of clerical usurpation, the minds of men were not unprepared for the Lutheran doctrine: and Henry himself, though he had deigned to enter the lists of theological controversy, and published a book against the innovations of Luther, became an instrument of Providence, to introduce the first beginnings of Reformation into his kingdom. A minute detail of the occasion, circumstances, and progress of this important event, seems not properly to belong to this present work. Let it be sufficient to observe, that Henry, impatient of the delays given to his intended divorce, and provoked at the duplicity of pope Clement, openly renounced the papal authority. His marriage with Ann Boleyn was declared, and a lady, possessed with favorable dispositions to the new doctrine, seated in all solemnity on the throne. The invalidity of his former marriage with Catharine, his brother's widow, and the lawfulness of his present engagement, were definitively pronounced by his own clergy; and the intemperate and precipitate conduct of Clement finally confirmed the separation from Rome. The English convocation had reluctantly acknowledged the king to be supreme head, on earth, of the church of England. The parliament with greater alacrity vested him

him not only with the title, but with all the powers annexed to this supremacy. A way was thus opened for the suppression of monasteries, Henry's favorite object, for removing the instruments, and restraining the enormities of popular superstition, and for communicating the scriptures to the laity in the vulgar tongue. Thus far was the king determined to proceed, and even to drive those of his subjects who were still attached to the Romish communion; while numbers of them were impatient to proceed yet further, in despite of the royal vengeance launched against those who refused to accommodate their religious sentiments to the model of an imperious and self-sufficient prince.

WHILE Henry was elated at the general and prompt compliance with his scheme of reformation in England, he resolved to extend it yet further, and to gain a reception for the new doctrines in Ireland. George Browne, a provincial of the Friars of Saint Augustine, had been noted in London for sincerity and simplicity of conduct, for charity and benevolence, as well as a freedom and liberality of religious sentiments. He frequently preached against the futility of pilgrimages and penances; dissuaded his hearers from a vain dependence on the merits and intercession of departed saints; exhorting them to rely solely on the mediation of our Lord, and to address their prayers immediately to God. Lord Cromwel, who, on the death of Wolsey, had become a favorite, and exercised all the rights annexed to the king's supremacy, under the title of vicar-general of England, found little difficulty in procuring the zealous preacher of such doctrines to be promoted in Ireland. On the death of the unhappy Alan, he was advanced to the see of Dublin; and with other commissioners, appointed to confer with the clergy and nobility, and to procure a general acknowledgment of the king's supremacy. But the task was found more difficult than the impetuosity of the king, or the fastidious contempt which

which the English minister entertained of this country, permitted them to suspect.

THE spirit of religious disquisition had indeed forced its way into Ireland, with the succession of English settlers. So that in the famous parliament of the tenth year of Henry the seventh, laws had been revived to prevent the growth of Lollardism and heresy. But such seeds of reformation found an unfavorable soil, and could scarcely spring up, with any considerable degree of extent and vigor. Ireland was not a place for those circumstances to operate, which favored the first reformers in other parts of Europe. A people not connected by one and the same system of polity, and for the most part strangers to the refinements and advantages of political union; harassed by a perpetual succession of petty wars, distracted by mutual jealousy, and the most civilized among them living in continual alarm, and daily called out to repel invasion, could have little leisure for speculation, and little disposition for those enquiries which were pursued with such avidity in countries more composed. The people had severely felt the oppression of the clergy; but what in other countries appeared the capital and leading grievance, was but one of those oppressions which this land experienced. Others were even more grievous, and required more immediate redress. When Europe had declared almost unanimously against the yoke of ecclesiastical power, a slight attempt made in one province of Ireland to circumscribe the privileges of the clergy, raised a most violent and insolent clamor among the order; although it amounted to nothing more than empowering the civil magistrate to imprison ecclesiastical debtors.

Ware.
A. D.
1529.

HAD the generous policy prevailed of collecting all the inhabitants into one body of English subjects, an union and pacification of ages must have prepared the people for the reformation now proposed; but among the fatal consequences of excluding the old

old natives from the pale of English law, blindness and bigotry proved the natural-concomitants of a disquieted, uncivilized, and dissolute course of living. And the irregularities in the ecclesiastical constitution of Ireland, naturally resulting from the odious and absurd distinction of its inhabitants, contributed in no small degree to confirm the people in the grossest ignorance, and of consequence in the meanest superstition. In the dioceses where law and civility were most prevalent, the prelates found it impossible to extend their pastoral care or jurisdiction to the districts occupied by the old natives. Their synods were held (as the records express it) *inter Anglicos*; the Irish clergy, when summoned to obey their ordinary, were refractory and contumacious; and were excluded from the assemblies, where they claimed a right to be present as assessors and co-adjutors. In the districts more remote from the seat of English government, where war and confusion chiefly raged, the appointment of prelates and pastors was sometimes totally neglected. Bishops intruded surreptitiously, or seized the sees by violence, were little known, revered, or obeyed; sometimes enjoyed no more than an empty title; sometimes were driven by the public disorders to the discharge of some inferior pastoral function, in places of retirement and security. Tho very names and succession of several Irish bishops, in the first beginnings of the reformation, were so soon forgotten, that the laborious researches of Sir James Ware could obtain no memorials of them. Prelates of the more eminent dioceses slept in monastic tranquillity, while all Europe resounded with the tumult of theological dispute. It is ridiculous to find an Irish bishop renowned for the composition of an hymn in barbarous Latin rhymes, in praise of a saint Martin, while his brethren in other countries were engaged in discussion of the most important points of religion; or others depending for salvation, on being wrapt, at their dying hour, in the cowl of saint

MS.

Marsh.

Lib. Dub.

Wilkins.

Conc. T.

III. p.

660.

War. de

Pres. Lib.

saint Francis, when Rome herself had confessed with shame the follies and enormities which had disgraced her communion.

A CLERGY without discipline or knowledge, and a laity without instruction, were, in proportion to their ignorance, abjectly attached to the papal authority; the only authority in religion which they had been accustomed to reverence; and which, for the first time, they now heard impeached with astonishment and horror. And one peculiar prejudice there was in favor of the see of Rome, which operated equally on the Irish, and even on the more enlightened of the English race. Ireland had been for ages considered, and industriously represented as a fief of the pope, in right of the church of saint Peter. By virtue of this imaginary right, the seignory of this kingdom, it was well known, had been conferred on Henry the second. The Irish parliament had occasionally acknowledge this to be the only legitimate foundation of the authority of the crown of England. It was therefore accounted more especially profane and damnable to deny the authority of the pope, even in his own inheritance; and that a prince entrusted with this inheritance for the protection of religion, should disclaim his father and his sovereign, and impiously violate the stipulations of his ancestor, by which alone he was entitled to any authority or pre-eminence in Ireland.

Ir. Stat.
7. Edw.
IV.

Archb.
Brown's
Letter.

As these circumstances assisted the general prepossession in favor of antient establishments, so were the dispositions of the people expressed with less restraint, as, their distant situation rendered the inflexible severity of Henry less formidable, and allowed them to counteract his views with greater freedom. No sooner had the commissioners appointed by the king explained their instructions, and demanded an acknowledgment of his supremacy, than Cromer, primate of Armagh, an Englishman by birth, and who had some time held the office of chan-

chancellor, openly and boldly declared against an attempt so impious. Disgust at being removed from his office, and resentment at the severity exercised against the family of Kildare, his friends and patrons, might be supposed to have had some share in this opposition, were it necessary to recur to worldly motives to explain it. He summoned the suffragans and clergy of his province; and to those whom he could collect, he pathetically represented the danger which now threatened the religion of their ancestors; exhorting them to adhere inviolably to the apostolic chair, by such arguments and motives as were suited to their understandings. He reminded them that their country had been called in the earliest ages the Holy Island; a convincing proof that it ever was, and is, the peculiar property of the Holy See, from which the kings of England derive their lordship. He enjoined them by his spiritual authority to resist all innovation, as they tendered their everlasting felicity: and pronounced a tremendous curse against all those who should sacrilegiously acknowledge the king's supremacy. In the mean time he dispatched two emissaries to Rome to represent the danger of the church, and to entreat the interposition of the pontiff in defence of his own rights and interests in Ireland.

THIS spirited opposition of the most eminent among the Irish prelates enlivened the zeal and vigor of the friends of Rome. Henry and his minister seem to have imagined that no one could have presumed to attempt the least resistance to his royal will, and, in a point which had been already solemnly decided, and established in England. His agents were probably possessed with the same idea. But, to their utter mortification, the king's commission was treated with indifference and neglect; and his vicar, on account of the meanness of his birth, became even a subject of popular ridicule*.

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X

Arch-

* Archbishop Browne, in one of his letters to lord Cromwel tells him with an awkward and uncourtly simplicity, "The country-folk here
much

Archbishop Browne, with the assistance of some of his suffragans, laboured in support of the commission; but he was treated not only with disdain but outrage, and his life exposed to danger from the zealots of the popish party. Such at least were the apprehensions he expressed. He informed lord Cromwel of his bad success, and the opposition of Cromer; represented the melancholy situation of ecclesiastical affairs in Ireland; the extreme ignorance of the clergy, incapable of performing even the common offices, and utter strangers even to the language in which they celebrated their mass; and the furious zeal of the people, whose blind attachment to Rome was as determined as the constancy of the most enlightened martyrs to true religion, who exulted in expectation of effectual support from the pope, and that he would engage some of the old Irish chieftains, and particularly O'Nial, the great dynast of the North, to rise in defence of religion. He recommended as the most vigorous and effectual method of procedure, that an Irish parliament should be assembled without delay, which, like the English legislature, might by law enforce a general acknowledgment of the king's supremacy, so as to terrify the refractory, and to silence their opposition.

THIS advice was approved; and lord Leonard Grey, now engaged in suppressing the remains of the Geraldine rebellion, received commission to summon a parliament, which accordingly was convened at Dublin on the first day of May one thousand five hundred and thirty-six. Whether the affairs of England gave the king no leisure to attend minutely to the laws necessary to be passed in this assembly, or whether the apprehension of some new disorders in Ireland, on account of religion, determined him to cut off all delay, the previous certifica-

Irish Stat.
28 H.
VIII.

"much hate your lordship, and despitefully call you, in their Irish tongue, the Blacksmith's son.

certification and transmission of bills agreeably to the law of Poynings, were on this occasion omitted, and the law declared to be suspended by assent of the king. The transactions of a late parliament at Westminster sufficiently informed the Irish subjects what acts would be most acceptable to the king, and were made the model of their present ordinances. Left to the direction of their own loyal zeal, they proceeded not merely to provide for the internal regulation and local necessities of the pale, but to decide on points equally pertaining to the realm of England, and to the land of Ireland (appending and belonging to the imperial crown of that realm, as they express it) and to the *unity, peace, and wealth*, of both lands.

HAVING first passed an act of attainder against the late earl of Kildare, and the associates of his rebellious son, they proceeded to adjust the right of succession to the crown of England, and lordship of Ireland. They pronounce the marriage of the king with Catharine of Arragon to be null and void, and the sentence of separation by the archbishop of Canterbury to be good and effectual. They declare the inheritance of the crown to be in the king and his heirs by queen Anne; pronounce it high-treason to oppose this succession, misprision of treason to slander it; and appoint an oath of allegiance to be taken by the subjects of Ireland for the sure establishment of it, under the penalties of misprision of treason. But scarcely had this act been passed, when Ir. State. intelligence arrived of the condemnation and death 28 Hen. of Anne Boleyn, and the marriage of the king with VIII. Not printed. the lady Jane Seymour. With the same ease and compliance with Henry's wishes, which had been expressed in the English parliament, they instantly repealed their act; and, by another law, sentence of attainder passed on the late queen, George Boleyn, lord Rochfort, Henry Norris esquire, Sir Francis Weston, William Brereton and Mark Smeaton, who had been accused as accomplices in the sup-
posed,

posed guilt of this unhappy lady. Both the former marriages were by this act declared null and void ; the succession confirmed a-new to the heirs of the king by queen Jane ; and, in default of such heirs. Henry was empowered to dispose of the inheritance of the crown of England and lordship of Ireland, by letters patent or by will.

Ir. Stat.
28 Hen.
VIII.

WITH respect to the scheme of Reformation, the king was declared supreme head, on earth, of the church of Ireland ; all appeals to Rome in spiritual causes were taken away ; the English law against slandering the king, in consequence of these innovations, was enacted and confirmed in Ireland ; together with the provisions made in England for the payment of first-fruits to the king ; by another act he was invested not only with the first-fruits of bishoprics and other secular promotions in the church of Ireland ; but with those of abbeys, priories, colleges, and hospitals. By another, the authority of the bishop of Rome was more solemnly renounced, and the maintainers of it, in Ireland, made subject to premunire. All officers of every kind and degree, were directed to take the oath of supremacy ; and every person who should refuse it declared, as in England, to be guilty of high-treason. All payment of pensions and suing for dispensations and faculties to Rome, were utterly prohibited, by adopting the English law, made for this purpose, and accommodating it to Ireland. By one act, twelve religious houses were suppressed ; by another, the priory of Saint Wolstan's in particular, and the demesnes of all vested for ever in the crown.

OTHER acts were made for the increase of the king's revenue, and the internal regulation of the pale. The usual subsidy of thirteen shilling and four-pence on every plow-land, was granted for ten years. The lands and honors possessed in Ireland by the duke of Norfolk and other absentees, were vested in the king ; and the twentieth part of the annual

annual profits of all spiritual promotions, a donation no less acceptable, was granted to him for ever. All pensions paid by subjects to any Irish sept were utterly abolished, as the king's forces were declared to be sufficient for their protection; the antient laws against marrying and fostering with the Irish were revived in all their severity; and the use of the English order, habit, and language strictly enforced throughout the pale. It was provided, that no ecclesiastical preferment in the gift of a subject should be conferred on any but those who spake the English language, unless, upon repeated proclamation, none such could be found; that English schools should be kept in every parish, and that such as could not pay for the education of their children in these schools, should be obliged to employ them, at the age of ten years, in trade or husbandry. To prevent waste of lands, either by the suppression of monasteries or attainder of rebels, commissioners were appointed to make leases of all such lands as had devolved to the crown. Another commission granted by the king to the lord deputy and others, for pardoning those who had been involved in the late rebellion, received the sanction of parliament, and their compositions and pardons were ratified to all who should submit within a limited time, except those who had been attainted by name.

THE laws for regulation of the pale, and even those which declared the right of succession to the throne, were received without opposition. But those relative to ecclesiastical jurisdiction had all the violence of bigotry to encounter. The Romish party had collected their adherents, and were prepared for a vigorous contention. The two proctors^{Ir. Stat. 28 H. VIII. C. 12.} from each diocese, who had usually been summoned to parliament, composed a formidable body of ecclesiastics, avowed adherents of the holy see. They claimed to be a member of the legislative body, and to have a full right of suffrage in every public question;

question ; it therefore became necessary, before the act of supremacy should be proposed, to define their rights. It was declared by a previous act, that their claim was presumptuous and groundless ; that they were summoned merely as counsellors and assistants, (as the king's judges and other learned men had decided) and that from the first day of the present parliament, they should be accepted and taken as counsellors and assistants only, whose assent and concurrence were by no means necessary to any parliamentary transaction.

Life of
Abp.
Browne,

But although the partizans of Rome were thus deprived of the assistance of so powerful a body, yet when the act of supremacy came to be proposed, lords and commons joined in expressing their abhorrence of the spiritual authority assumed by the king : while the ministers and royal party were equally determined in defence of it. Archbishop Browne took the first part in supporting the propriety of this act, by such arguments as probably had their weight upon his own mind, and were more likely to influence his hearers, than those of greater real force and solidity. He pleaded the authority of the popes themselves against the usurpation of Rome. They had acknowledged emperors, kings and princes (he observed) to be supreme in their own dominions, and even Christ's own vicars. So that, in asserting the king's supremacy, he claimed no more than what Eleutherius bishop of Rome, had granted to Lucius, first christian king of the Britons. He therefore declared, that he freely and conscientiously accepted the king's highness as supreme in both realms, in ecclesiastical as well as civil affairs ; and, concluding with an argument still more confounding, pronounced those, who made any difficulty of concurring with him, to have no right to be regarded or treated as loyal subjects.

FEAR served to allay the violence of those who could not be persuaded ; so that the most determined partizans

partizans of Rome were obliged to reserve themselves for a clandestine opposition to the execution of a law, which they could not prevent from being enacted: and, which, in despite of the legislative authority, they still opposed with indefatigable zeal. With an ingenuity not unworthy of the ablest disciples of Loyola, they devised a pretence for impeaching the authority of the parliament, and persuading the people that the offensive laws, enacted in its first sessions, were utterly invalid. The act for the suspension of the law of Poynings contained a provision, that no statutes should be ordained in the present parliament, prejudicial to the grants, ^{Ir. Stat.} liberties, customs, or commodites of the crown, ^{28. H.} but such only as should be deemed expedient for, ^{VIII. C.} 4.

“ the king’s honor, the encrease of his revenue,
 “ and the common weal of his land and dominion
 “ of Ireland.” The friends of Rome took advantage of this mode of expression; they insisted that the parliament had no power of enacting any law in which these several circumstances did not all concur. And that whatever laws they should enact, which were not at once conducive to the honor of the king, the advancement of his revenue, and the common weal of Ireland, must be in themselves devoid of force or authority. But the zeal of these refiners was so precipitate, that, without waiting the dissolution of this assembly, they suggested and propagated their favorite objection, during the prorogations of parliament; and thus gave occasion, in the later sessions, to explain the supposed ambiguity; to declare the validity of all laws of the present parliament, enacted for any one of these purposes, and to denounce those guilty of felony who should attempt to invalidate any of such laws.

To these vigorous counsels and decisions of the legislature, it was at this time peculiarly necessary to add an extraordinary vigilance and activity in the field. It was obvious to foresee that religious controversy must aggravate and protract the disorders

so long and so grievously experienced in this country; that the question of the pope's authority threatened to divide those who had hitherto been most united; that while the king's subjects, who disapproved the late regulations, were in danger of being seduced from their allegiance, at the same time a new band of union was formed among the old Irish chieftains. Their petty septs were called their *nations*, and to these their views were principally confined: their temporal interests were separate, and their mutual enmities frequently fierce and rancorous. But the defence of the ancient religion was inculcated as the cause of all, and afforded a new pretence for insurrection. Nor was lord Leonard Grey inattentive to prevent these consequences. During the interval of parliament, he traversed the province of Leinster and the adjacent districts; terrified the refractory or suspected chieftains; and obliged them to renew their engagements to English government by formal indentures of peace and submission. In these indentures we find, among the royal titles, that of supreme head of the church of Ireland, but as yet no more explicit acknowledgment of his supremacy. Nor are the stipulations on the part of the Irish lords uniformly the same in all. Some agree to keep the peace with the king's subjects, not to harbour rebels, to allow the king's troops a free passage through their demesnes; some bind themselves still further to attend the royal standard, on what was called a *general hosting*, for a certain time, and with a certain number of men. Some agree to a submission provided they be acknowledged *captain* of their *nation*, or vest the nomination of their *chieftain* in the lord deputy. Others promise to be true and faithful *subjects* to the king; MacMurrough, the great Leinster chieftain, in particular, engages, in the strongest terms of loyalty to support his liege lord, king Henry, against the whole world: and, in return, the pension paid to his family

Rot. Can.
Hib. 28 &
29 Hen.
VIII.

continued, and he is constituted governor for the king of the castle of Ferns. On the dissolution of parliament, Grey was enabled to extend his excursions still further. Several Irish chieftains, in the other provinces, as well as the heads of several degenerate English clans, were compelled to treat and submit. Of this latter class, the earl of Desmond was with the greatest difficulty brought to treat with commissioners appointed by Grey; and although he insisted on the old privilege of not entering a fortified town, and obliged the commissioners to attend him in his own camp, yet he at length consented to swear allegiance, and delivered his natural son as an hostage for his fidelity.

This condition of delivering hostages, Grey had been lately instructed to enforce. The king, in return to the advices received of his success, had coldly replied, that the oaths and indentures of the Irish were of no value, since they had not given an additional security for their peaceable submission and fidelity: an ungracious return to the services of this active deputy, which seems to have arisen not only from the proud and intemperate spirit of the king, but from the malignant representations of those enemies lord Leonard Grey had created in Ireland. The family of Butler, now confessedly the first among the Irish subjects, still continued, with the usual turbulence of such families, to oppose the administration of government when entrusted to any hands but their own. Pierce, earl of Ormond and Ossory, and lord James Butler his son, the treasurer of Ireland, had not only given indirect opposition to the measures of government, but on some pretence had refused to attend the deputy in his military progress. Grey resolved to interpret this refusal in the most offensive manner, treated them as revolters, and detached a body of troops to ravage their demesnes. Their mutual complaints were submitted to the throne, and the cause referred

Cox. ex.
MSS.
Lamb.
C. C. C.

MS. Trin.
Col. Dub.

to the council of Ireland. Here the contending parties were brought to a formal reconciliation, and separated in apparent friendship, but with all their mutual animosities still rankling in their breasts. The Butlers in particular waited but the favorable moment for executing their revenge; and, in this their enmity to the governor, had the address to unite the archbishop of Dublin, Allen master of the rolls, and other men of power. The party was still further strengthened by numbers of the friends of Rome, who had conceived implacable resentment from the zeal of the lord deputy, in removing and destroying the instruments of superstition, and what they called the demolition of their churches. So that the faithful services of lord Leonard Grey could not preserve him from that popular odium which his vigilant and powerful enemies found various occasions of exciting and enflaming.

A. D.
1538.
Abp.
Browne.
Lett.

In the mean time, his government was threatened with new inquietudes from religious controversy. Archbishop Browne, the great agent of the Irish Reformation, found the utmost difficulty even in the seat of government, to counteract the secret practices of Cromer and his party. The clergy of his cathedrals opposed his attempt to remove their images and reliques, and had sent a special emissary to Rome, to express their devotion to the holy father, and to implore his interposition, in support of his spiritual authority in Ireland. So ignorant were the Romish partizans of the inflexible and determined spirit of king Henry, that they addressed themselves to the duke of Norfolk, and hoped, by his mediation, to divert the king from his scheme of Reformation in Ireland. Several incumbents of the diocese of Dublin chose to resign their benefices, rather than acknowledge the king's supremacy. And so formidable, or at least so considerable was this party, that the prelate would not venture to fill up their benefices until he had consulted his patron, lord Cromwel. He repeated his
com-

complaints to this minister of the difficulties he experienced from the ignorance and obstinacy of the clergy, with an insinuation that he was not as strenuously supported by the governor, as the critical occasion required. In one of his letters he ventures yet further. "The vice-roy," saith he, "is of little or no power with the old natives; therefore your lordship will expect of me no more than I am able." But above all things, he expresses his apprehensions of the agents from Rome, and their dangerous influence. Ever since the first settlement of the English in Ireland, the old natives, he declares, have always been desirous of some foreign power to support and govern them; and now, both English and Irish, sacrifice their private quarrels to the cause of religion, and seem on the point of forming a dangerous confederacy, which some foreigner may be soon invited to lead against the English government.

NOR were the fears of this zealous prelate entirely groundless. It was immediately discovered that a private commission had arrived from Rome to Cromer and his associates, enjoining them to persevere boldly in support of the papal authority. They were empowered to absolve those from their oath, who had been persuaded to acknowledge the king's supremacy; and directed to command them, under the penalty of the severest ecclesiastical censures, to make confession of their guilt within forty days; and to make a new engagement, composed with great solemnity, to maintain the authority of the holy see, to oppose heretics, to resist their edicts, issued against the church of Rome, and to declare all those accursed who shall hold any power, either ecclesiastical or civil, superior to that of the holy mother church.

WHILE the head of the Northern clergy employed all his influence in discharge of this commission, the agents of Rome were equally assiduous in exciting the Irish chieftains of the North to take arms

arms in defence of the ancient religion. A Franciscan friar, employed for this purpose, was detected and seized in Dublin, with all his papers, which fully proved his treasonable intent. The deputy was at first contented with exposing him on a pillory, and confining him in prison; but on communicating the incident to lord Cromwel, was directed to send him prisoner into England. The wretched man considered this as a sentence of death; and terrified probably with dreadful representations of the king's cruelty, and the tortures prepared for him, in an agony of horror and distraction, put an end to his own life. The most obnoxious and alarming of his papers, was a letter written by the bishop of Metz, in the name of the council of cardinals, to O'Nial; exciting him to draw the sword against the heretical opposers of the pope. It was conceived in the following terms of absurdity and folly.

“ My son O'Nial,

“ **T**HOU and thy fathers were ever faithful
 “ to the mother church of Rome. His holiness
 “ Paul, the present pope, and his council of holy
 “ fathers, have lately found an ancient prophecy
 “ of one Saint Lazerianus, an Irish archbishop
 “ of Cashel. It saith, that the church of Rome
 “ shall surely fall when the catholic faith is once
 “ overthrown in Ireland. Therefore for the glory
 “ of the mother church, the honor of Saint Peter,
 “ and your own security, suppress heresy, and
 “ oppose the enemies of his holiness. You see,
 “ that when the Roman faith perisheth in Ire-
 “ land, the see of Rome is fated to utter destruc-
 “ tion. The council of cardinals, have therefore
 “ thought it necessary to animate the people of the
 “ Holy Island in this pious cause: being assured
 “ that while the mother church hath sons of such
 “ worth as you, and those who shall unite with
 “ you,

"you, she shall not fall, but prevail for ever, in some degree at least, in Britain. Having thus obeyed the order of the sacred council, we recommend your princely person to the protection of the Holy Trinity, of the blessed Virgin, of Saint Peter, Saint Paul, and all the Host of Heaven. Amen."

BUT the detection of this unhappy friar was of little consequence. The emissaries of Rome were numerous, as well as vigilant; nor did they want their ancient prophecies, and such like futile means of seduction, accommodated to the ignorance and vanity of O'Nial. He readily yielded to the flattering persuasion, that the defence of the holy church rested solely on his invincible arm, and eagerly embraced the occasion of resuming the ancient consequence of his family. The clergy flew through the whole Northern province, harangued the Irish chieftains, enflamed their zeal, and conjured and commanded them to unite in the glorious cause of religion. A confederacy was thus quickly formed for the suppression of heresy; and the pride of O'Nial was still more enflamed by his appearing once again at the head of his associate chieftains, the acknowledged lord and leader of the Northern Irish. He declared war against the invaders of the A. D. 1539. papal rights, led his forces through the territories of Meath, denouncing the terrors of his princely vengeance against all the enemies of religion, and committing various excesses without control or resistance; and advancing to Tarah, he reviewed his troops, with an ostentatious display of their numbers and prowess. But these champions of the church exhausted all their zeal in this vain-glorious defiance of English government. Instead of proceeding in any well-concerted scheme of hostilities, they seemed contented with the havock they had made, and the prey they had collected, and marched back in triumph towards their own settlements.

THE

Stanib.

THE lord deputy had foreseen the storm; and although he had not force sufficient to prevent this invasion, he now collected his troops, and was prepared to repel it. The citizens of Dublin and of Drogheda had zealously attended his standard; and at his instances Sir William Brereton had been dispatched from England with a small troop collected in Cheshire, a reinforcement highly acceptable in the present emergency. And so zealous was this knight for his master's service, that although he had the misfortune to fracture his thigh, as he was exercising his men upon the English shore, he yet insisted on being raised by pulleys into his ship, rather than give the least delay to the embarkation. The insolence and perfidy of the northern insurrection provoked the friends of government; the sudden retreat of O'Nial revived the courage even of those who had been most alarmed; the deputy had learned, by experience, the importance of vigorously pressing on the Irish insurgents, and pursuing them to their most distant retreats: He boldly led his forces in pursuit of the invaders; and, by forced marches, arrived at a place called Bellahoe, on the borders of Meath, where a considerable party, detached from the Irish army, maintained an advantageous post, with a river in their front, and were prepared to oppose his passage. Their appearance was formidable; but the spirits of the English were elevated and determined. The annalists who lived nearest to this period, dwell on every circumstance of the attack: they tell us of the bravery of Fleming, baron of Slane, who requested to have the glory of leading the vanguard, of the shameful timidity of his standard-bearer who refused to attend him, of the gallantry of that officer who desired to supply his place, of the glorious fall of Mabe, a valiant Meathian, who became the victim of his own ardor, in forcing a passage through the river. Nor do they give less honor to the valor and activity of lord Leonard Grey, who, on this critical occasion, reaped the fruits of his attention and
courtesy

courtesy to his soldiers. The attack was vigorous, and the resistance of the Irish for some time obstinate. But still pressed by the number and valor of their assailants, unsupported by their associates, and dispirited by the fall of their commander, they were at length broken, and flying in dismay, communicated the panic to the main body, which lay at some distance, with an apparent indifference to the danger of their companions, arising from a want of cordial union and due subordination among the Irish septs. In an instant the whole formidable body dispersed, and fled precipitately to their different haunts. So rapid was their flight, that four hundred only were slain, in a battle obstinately maintained, and a pursuit ending only with the day.

THE victory of Bellahoe, which broke the power ^{Stanh.} of the Northern Irish, and struck the most turbulent chieftains with a violent and lasting terror, closed the services of lord Leonard Grey. He was immediately recalled to England: and though at first graciously received, yet the malice of his enemies, encouraged by his removal from the government, pursued him implacably to the English court. His sudden recall was probably owing to the secret practices of Ormond and his partizans: and they now presented themselves before the king, with various articles of impeachment against his late deputy of Ireland. Among other points, too frivolous to bear recital, he was charged with betraying lord Thomas Fitz-Gerald into a submission, by a promise of pardon, which he was neither empowered to give, nor to fulfil, and this with a clandestine purpose of destroying him; with favoring the escape of the younger brother of this family, his nephew and favorite; with oppression, bribery, correspondence with the king's enemies, and the sacrilegious destruction of churches. Witnesses were examined in Ireland to these several articles; Grey, who had been committed to the Tower, was brought

brought to his trial for high-treason. He might have pointed out the meanness and malignity of his accusers in several of the articles alleged against him. If he could not deny, he might at least have palliated the guilt of others. He might have pleaded the merit of his services against any considerable or accidental errors of his administration. But he was unhappily possessed with dreadful apprehensions of the king's rigor and severity. Instead of abiding the decision of his tribunal, he sought mercy by an abject resignation of his life and honor, to a prince incapable of mercy. He pleaded guilty to his indictment, and was beheaded on a scaffold.

Ware.

THE removal of this unhappy lord gave new courage to the enemies of government and the partizans of Rome. The Irish chieftains of Ulster recovered from their consternation, and once more resolved to draw the sword against heresy. Morrough O'Brien, a lord who had just now succeeded to the Irish sovereignty of Thomond, was persuaded to unite with them. And had the intervention of the clergy been employed to form a scheme of assailing the English settlements at once from different quarters of the island, the forces of government might have been fatally distracted by two different invasions. But these schemes of insurrection, however formidable they at first appeared, from the number of confederates, had more of ostentation than real force; and whatever were the professed objects of the leaders, those of their ill-governed followers were plunder and prey. The Irish chieftains assembled in the Western part of Meath, and prepared for another desperate irruption. But Sir William Brereton, to whom Grey had committed the reins of government on his departure, wisely imitating the conduct of his predecessor, marched out with such alacrity, and such apparent contempt of the enemy, as at once confounded their tumultuary numbers. Utterly appalled at the thought of encountering those whose
valor

valor had but just now been severely experienced, they shrunk from their leaders, and fled into different woods and other inaccessible retreats.

A GENERAL despondency among the disaffected Irish was the natural consequence of these repeated disgraces; and the cause of the pope grew every day more and more desperate. Numbers of monasteries were resigned into the king's hands; and even the refractory prior of Christ-church, in Dublin, lost all hopes from his secret practices at Rome, and submitted to a change of his community into that of a dean and chapter. Those champions of popery, who had breathed such desperate vengeance against its adversaries, were covered with shame and dishonor; and several of the most active insurgents became solicitous to make their peace. O'Brien in particular sought to atone for his precipitate revolt, by a submission. Those who had not openly engaged in rebellion, but by their conduct or situation were suspected, appeared earnest to express their attachment to the crown, whose administration in Ireland was become respectable and formidable. The earl of Desmond renounced the fantastical privileges claimed by his family; consented to obey the writs of summons to parliament; abjured the authority of the pope; resigned his favorite son into the hands of the lord deputy, to be educated in the English manner; and engaged to perform the same services to government with the earl of Ormond, or any other of the most distinguished subjects of the crown. Some other lords of the English race, who had been estranged from the English interest, followed this example, and returned to their allegiance: So that Sir Anthony Saintleger, to whom the king had entrusted the administration of his government, assumed his charge at a period, which afforded the fairest presages of tranquillity and public happiness.

To second the dispositions of the Irish, apparently so favorable to peace, and to give weight and brilliancy to the English government, it was resolved to change the style of Lord of Ireland, with which the crown of England had hitherto been contented, to that of King. Politics, next to religion, was now the favorite object of refined and speculative men. The commotions of Ireland had prompted them to devise various remedies for its disorders; and, among other particulars, the force with which names and titles operate upon the vulgar, and inexperienced, were duly weighed. It was resolved in the English cabinet, that an Irish parliament should confer the title of King of Ireland upon Henry and his heirs. Saintleger was commissioned to summon this parliament, in which it was immediately enacted, that, forasmuch as the king and his progenitors ever rightfully enjoyed all authority royal, by the name of lords of Ireland, but for lack of the title of king had not been duly obeyed, his highness and his heirs for ever shall have the style and honor of King of Ireland; and that it should be deemed high-treason to impeach this title, or to oppose the royal authority. The act was announced with the utmost joy and solemnity, as an event highly interesting to the people, and honorable to the sovereign.*

THIS

* The following is the from of the proclamation made on this occasion.

" Forasmuch as the hearts of all godly, natural, reasonable, and civil
 " creatures, be kindled with love and joy, when they hear of the prosper-
 " perity, triumph, and advancement of their natural sovereign liege lord,
 " honorable assembly, ye shall understand, that the triumph shewed
 " here this day, is done principally to give thanks to God, for his great
 " benefits shewed to our noble and victorious king Henry the Eighth,
 " and to deliver our own gladness and joy that his majesty is now, as
 " he hath always of right been, acknowledged by the nobility and com-
 " mons of this his realm of Ireland, to be King of the same, and he and
 " his heirs to be named, reputed, and taken for evermore Kings of Ire-
 " land, most worthy under God. And for manifestation, partly of the
 " gladness of the nobility here assembled, it is agreed by the king's
 " deputy

THIS ordinance was undoubtedly devised with sufficient judgment, and good policy, yet it seems not reasonable to assign it as the sole cause of that general submission of the revolters which immediately ensued. The English annalists confine themselves to those events which affected the government of Ireland; the Irish crudely detail the incidents of particular districts, of little moment in themselves, and very imperfectly explained. Were we informed of the compacts, transactions, jealousies, contests, and mutual complaints of the Irish chieftains, the pride of some, the treachery of others, and the operation of all those passions, which break out with greatest violence among the uncivilized, we might possibly find their conduct not to have been the pure effect of terror, fickleness, or duplicity; we might find their great leaders contending in a cause which they deemed rightful and laudable, not only with the forces of their enemies, but the intractable dispositions of associates, and the mutinous turbulence of inferiors; deceived by false assurances, and wearied by disappointment; their confidence abused, and their resentments irritated; so that the despair of some, and the revenge of others, the sense of injury, and the fear of treachery, with other latent motives might have conspired to break a confederacy which but now appeared so formidable. At present we are only informed that O'Nial made

"deputy, and the lords spiritual and temporal, and the commons assembled in this parliament, that all prisoners of whatever estate, degree, or condition, however they be detained for murder, felony, or other offence, which the said lord deputy may pardon (treason, wilful murder, rape, and debt, only excepted) shall be clearly delivered out of prison or prisons, though herein they may or any of them be detained, and all such prisoners as so shall be delivered shall have their pardons frank and free, requiring the same accordingly. And God save the king's majesty, king Henry the eighth, king of England, Ireland, and France, defender of the faith, and in earth supreme head of the church of England and Ireland."

Ware.

made his peace, by the fullest renunciation of the papal authority, and submission to the throne: and his example was immediately followed by numbers of the Northern chieftains. From Connaught, from Meath, from Munster, all the most turbulent Irish lords, all those of the old English race, who had adopted Irish manners, and lived for ages in a state of independence, vied with each other in the most zealous professions of reconciliation to the king's government, and executed their indentures in the amplest forms of submission. The earl of Desmond was seen attending in parliament, and acting in his proper character of a peer of the realm; and probably his example had some influence upon his great neighbours of the South. The graces shewn to some loyal Irish, and some English subjects were also not without effect. † Peerages and promotions were granted with unusual favor; and it was declared in parliament to be the king's intention to confer still more. They, who hoped to obtain, were zealous to deserve such honors. It grew fashionable to affect a zeal for government; the power and the clemency of the king were every where industriously echoed; so that various motives, and various causes, conspired to swell the numbers of those who crowded from all quarters to receive law from the throne.

Davis.

Cox.

THE deputy had now only to concert measures for governing the new subjects. In Munster and Connaught, which had formerly been divided into shires, and inhabited in a great part by English settlers, but where the laws of England had been disused for two hundred years, the authority of government was immediately exerted. Some ordinances of state were made by parliament for the regu-

† Edmund Butler was created baron of Dunboyne, Bernard Fitzpatrick, baron of Upper-Ossory. Sir Oliver Plunket, baron of Louth. William Bermingham, baron of Carbury. Rawson, late prior of Kilmainham, viscount Clontarffe. Thomas Eustace, viscount Baltinglass.

regulation of these districts,† not entirely consonant to the English law, but such as might tend to the gradual reformation of those, who, (as the preamble of these ordinances express it) “were not so perfectly acquainted with the laws, that they could at once live and be governed by them.” And although no attempts were as yet made to introduce any new system of jurisprudence into other quarters of the island, yet a number of commissioners were appointed for each province, who were to exercise the office of the antient Brehons, to hear and decide occasional controversies, or to refer them to the deputy and council, where the cause was perplexed or the parties obstinate. At the same time,

† Of these the most material were,

That Henry should be acknowledged king of Ireland.

That bishops should be allowed to exercise their jurisdiction.

That laymen and boys should not be admitted to ecclesiastical preferments. (Which last ordinances shew the miserable condition of the church of Ireland at this period.)

That murder and robbery be punished by a fine, half of which should be paid to the king, and half to the chieftain of the district. But

That rape and wilful murder be punished capitally.

That no Coyne or Livery be taken, except by command of the deputy; but that nevertheless the *captain of the district* must have his usual contribution.

That idle followers and retainers be discouraged.

That noblemen be allowed no more than twenty cubits, or bundles of linen in their shirts. And that inferior persons be proportionably confined in this article of Irish magnificence.

That none be allowed to dye their shirts with saffron according to the custom of the old natives, on pain of twenty shillings, to be levied on the offender.

That tythes be duly paid, and no molestation given to any ecclesiastical officers.

That those, into whose country a theft is traced, must trace it thence, or make restitution.

That the earl of Ormond, in the counties of Waterford, Tipperary, and Kilkenny, and the earl of Desmond in the rest of Munster, be guardians and executors of these ordinances, with the assistance of the archbishop of Cashel.

time, and for the same purpose of introducing the first beginnings of freedom and civility among the Irish districts, it became a favorite object of the policy of English government, to break the dependences of inferior chieftains and their septs. They were encouraged to submit their complaints of injury and oppression to the lord deputy, to resort to his government as their certain resource; they were taught to depend only on the king, and assured that their most effectual defence and protection would be ever found in his equity, and their own faithful and peaceable attachment.

Davis.
Cox,

HENRY, who regarded this progress in the reformation of Ireland as the effect of his own wisdom and policy, was still further flattered by the appearance of the most distinguished of his new Irish subjects at the court of England. The lord deputy had been instructed to persuade them to confer personally with the king, as the most effectual means of conciliating their reverence and affection. The earl of Desmond presented himself before his sovereign, and renewed his declarations of obedience and loyalty. He was received with favor, and dismissed with an order to be admitted into the Irish council. Uliac De Burgo, known by the name of Mac-William, lord of an extensive district in Connaught, which his family had long maintained independent of the English government, was also received by the king with every mark of reconciliation, and the honor due to his noble descent. He was accompanied by Murrough O'Brien, head of the royal house of Thomond, whose submissions were accepted with equal grace. The former received the titles of earl of Clanricarde and baron of Dunkellen; the latter was created earl of Thomond and baron of Inchequin. His son Connor, to whom the earldom was limited, by another patent was created baron of Ibracken.

Rymer,
Vol. xiv.
p. 797,
800.

THESE

THESE and other lords had been particularly encouraged to repair to the court of England, by the example of O'Nial, and the attention paid to a chieftain whose family had for ages maintained the part of sovereign princes, and proved no inconsiderable rivals to the English power. He had attended on the king, and repeated his submissions and engagements. He consented to renounce the style and name of O'Nial, and promised for himself, his family, and followers, to assume the English habit and language, to conform to English manners, and to obey the English law. His overtures were received with peculiar marks of favor. He was created a peer of the realm of Ireland by the title of earl of Tyrowen; and by the same patent, his son Matthew, to whom the earldom was to descend, was created baron of Dungannon. The honor of knighthood was conferred on two gentlemen of his retinue; and another of his attendants, a clergyman, who had been appointed by the pope to the bishopric of Clogher, on resigning his bulls, and renouncing the authority of Rome, was confirmed in his see. Presents were given to all; and a chain of gold, received by the new earl from the king's hand, confirmed and perfected the reconciliation.

THESE lords, thus constituted peers of parliament and members of the Irish council, were to be allured to an intercourse with the king's servants, and habituated to an attendance on the state, so as to preserve their attachment, and to reconcile them to English government. For this purpose, the king now granted to each of the new earls a house and lands near Dublin, for their more convenient attendance on the deputy and parliament. All their hereditary possessions were confirmed to them by patent, to be held of the king by military service. But as Henry was entirely directed in these graces by his Irish ministers, and as they had not ventured to advise such grants to be made to the inferior chieftains, these were still left in that state of dependence

1542.

Rymer, Vol. xv.

P. 7.

Ware.

Rot. Cam.

Hib. 31

H. VIII.

Davis.

Ware.

Rot. Can.
Hib. 34
Hen. VIII.If. Stat.
34 Hen.
VIII. C.
1.A. D.
1543.

pendence on their more powerful neighbours, from which it was the professed intention of government to relieve them. They were left to their former tenures and to defend their possessions as they might. Hence the old Irish vassalage, that source of local contests and disorders, and the Brehon jurisdiction accommodated to this state, were in effect still continued. So little did the new-created earls apprehend that their present engagements should produce any essential regulation of their territories, that they still governed their followers by the usual course of Brehon law. Any other system of jurisdiction had either been totally forgotten, or never known within their territories. And such was the timid or illiberal policy which at this time prevailed in the administration of the affairs of Ireland, that the petitions of the old natives, to be governed by the English laws, were in some instances neglected or denied. The chieftain O'Byrne, whose sept had for many ages harassed even the capital of the kingdom, but who had lately sworn allegiance, earnestly desired that his territory should be converted into an English county by the name of Wicklow; but could not by the merit of his submission obtain attention to a request, apparently so reasonable. A proposition made for converting the Annaly, possessed by an Irish chieftain called O'Ferghal, into shire-land met the same fate, although the king had been consulted, and declared his acquiescence. The only new arrangement which the deputy and parliament ventured to establish, was that of the division of Meath into two counties, the Eastern and Western.

From these circumstances we may judge what degree of real and solid advantage was derived from the present general submission of the Irish chieftains, with all the pomp and brilliancy of its exterior appearance. In Munster, which had once been divided into counties, and governed in a great part

part by English law, the people continued ignorant and refractory. So that no justice as yet dared to execute his commission among them. In Connaught, in Ulster, and a considerable part of Leinster, the inhabitants were entirely abandoned to the Irish polity. Acts of state, or laws of parliament, might be ordained, implying a dominion over the territories of those great lords who had submitted; but government was still too weak or too cautious to attempt the execution of them. Of this Sir John Davis mentions a notable instance. "The abbies ^{Davis} and religious houses in Tirone, Tirconnel, and ^{Discov.} Fermanagh," saith he, "though they were ^{p. 174.} dissolved in the thirty-third year of Henry the ^{Ed. Dub.} eighth, were never surveied, nor reduced into charge, but were continually possessed by the religious persons:" and this until the reign of James the first.

BUT however ineffectual these late transactions were to the vigorous enforcement and general extension of English government, yet some progress was at least made in reformation: and for the present an unusual degree of peace seemed to have spread through the island. Nor could the practices ^{Stanib.} of Francis the first, when Henry had declared war, and was preparing to invade his kingdom, seduce the Irish into a revolt. His emissary applied to the chieftain of Tirconnel, whose family had been known both in France and Rome, and were esteemed of great influence and authority in Ireland. But the Irish lord either scrupled to violate his engagements, or found it impracticable to form any confederacy in favor of France. On the other hand, Henry was attended to Calais by a considerable body of Irish forces, who distinguished themselves by their undaunted spirit. The enemy were astonished at seeing them traverse the country with an agility to which they had been trained in their own wars; and were terrified at the ferocity of their execution, as

well as their intrepidity. Again, when the earl of Lenox had been called from France, by the factions of Scotland, and driven by his disappointments to sue for the protection of the king of England, Henry sent him into Ireland, where by the influence of the lord deputy, he procured three thousand men to attend him on his fruitless expedition.

SOME futile contests, between the great Irish chieftains and their dependent lords, were the only remaining cause of commotion; and the chief employment of the king's governor was to compose them by his arbitration. It can scarcely be doubted, but that amidst the different motives which produced the late submissions, many were solely actuated by terror, and still retained their aversion to Henry and his government, as well as their affection for the cause of Rome, which they had been compelled to renounce. But whatever schemes of insurrection they might form, mutual suspicion and disunion prevented their effect, and rendered their secret discontents less dangerous. And so outrageous was the spirit of loyalty in other parts of Ireland, that when a son of Fitz-Patrick, baron of Upper-Ossory, had committed some treasonable offence, he was delivered up to public justice by the hands of his own father.

Ware.

C H A P. VIII.

Accession of Edward the sixth.... Dispositions in the state of Ireland.... Saintleger chief governor.... Arrival of Bellingham and his forces.... Insurrections of O' Moore and O' Connor.... Distress of these chieftains.... They surrender, and are imprisoned.... New English settlements in Leix and O' Fally.... Secret practices of Rome.... Vigor of the chief governor Bellingham.... Desmond reclaimed.... Schemes of religious reformation.... Saintleger reinstated in his government.... Difficulties attending the reformation in Ireland.... Liturgy introduced by proclamation.... Opposed by primate Dowdal.... Prejudices against the reformers.... Crofts successor to Saintleger.... Endeavours to gain the primate.... Disputation at Saint Mary's Abbey.... Punishment inflicted on Dowdal.... His injudicious retreat.... Bale, bishop of Ossory.... his character and conduct.... His treatment by the Irish.... The civil government necessarily vigilant... Factions in the West.... In Munster and Ulster.... Disorders in the family of O' Nial.... Character of John O' Nial.... He is provoked.... Takes arms.... His progress.... Accession of queen Mary.... Her graces to the Irish subjects.... Return of Dowdal.... Family of Kildare restored.... O' Connor released.... Saintleger chief governor.... Protestant bishops deprived.... Sussex lord deputy.... Insurrections in Leix and O' Fally.... Incursions of the Scots.... Bull of cardinal Pole received by the Irish Parliament.... Acts for the re-establishment of popery.... Acts for the civil government.... Explanation of Poyning's law.... Private act relative to archbishop Browne.... War between O' Nial and O' Donnel, described by the Irish annalists.... O' Brian created earl of Thomond.... Scots defeated by the earl of Clanricarde.

THE

A. D.
1546.

Ware.

Rymer.

THE civil affairs of Ireland, during the reign of Edward the sixth, afford little matter to be recorded, unless we were to copy the jejune and frivolous catalogue of petty incidents described by the Irish annalists, or those English writers who have copied their minuteness. Sir Anthony Saintleger, whose administration had been honorable to himself, and of essential service to the crown, was, as usual, exposed to jealousies and discontent, when in the latter part of Henry's reign, a suspension of hostilities gave leisure for factions in the state. The exhausted condition of the exchequer had tempted him to form some scheme of taxation, which Ormond and his partizans strenuously opposed, as illegal and oppressive. The contest grew violent; and, on each side, was attended with such offensive circumstances as afforded ground of mutual impeachment. Their complaints were brought before the king; and, by his mediation, quieted for the present; but ended finally with the death of Ormond, who, either by accident, or some undiscoverable treachery, was poisoned at a feast in Ely-house, with sixteen persons of his retinue. Saintleger was reinstated in his government, and on the accession of Edward the sixth, confirmed in it. The seals of Ireland were committed to the hands of an English knight, Sir Richard Read; as Allen, the late chancellor, had appeared so culpable, in the contests between the deputy and Ormond, that he was committed prisoner to the Fleet. Among other promotions, the earl of Desmond was gratified with the title of lord high-treasurer, an appointment which seems to have been merely honorary, and not attended with any trust or confidence; for his name doth not appear among the new privy-counsellors: and in the first year of this reign, we find the royal commissions and instructions addressed, not to Desmond, but to Brabazon, the vice-treasurer, with the other officers of state.

THE

THE death of the late king, and the succession of his infant son, the schemes of religious Reformation formed in England, and destined also for Ireland, the turbulence of the Irish and their precipitation in taking arms on any new incidents or revolutions, were circumstances duly weighed in the English council. It was deemed a seasonable ^{Ward.} and necessary provision to send Bellingham, a brave and experienced commander, with six hundred horse and four hundred foot to the support of Irish government. And the importance of this reinforcement was immediately experienced; for O'Moore, chieftain of Leix, and O'Connor of O'Fally, on pretence of some injuries received, had drawn the sword and spread disorder through the province of Leinster. Bellingham instantly joined the lord deputy; and little difficulty was found, with their united forces, in dispersing the followers of these rebellious lords. So terrible was the English power to their neighbours, that they could not venture to afford them even the least supply of provisions in their distress. Their lands were ravaged, and the ^{Ann.} old inhabitants driven out; castles were erected ^{Doneg.} in places most convenient for keeping them in perpetual ^{MS.} awe; the chiefs themselves were proclaimed traitors; and thus reduced by their folly to the condition of desperate fugitives.

IN this situation we are informed by the Irish ^{Ibid.} nationalists, that some English officers, who had discovered their retreats, proposed to make their peace. ^{A. D. 1518.} It was insinuated with what clemency the Irish insurgents in the late reign had been treated, on their submissions; what favors, and even what honors, they had received at the court of England: they were advised to take the same course, which they were assured would be attended with the same success. They embraced this counsel, submitted, and consented to attend Saintleger into England. But here the only favor granted was, that they were not brought to immediate execution. They were com:

committed to prison, their lands declared forfeit, and granted to those by whose counsels they had surrendered. O'Moore soon died in his captivity; a fruitless attempt made by his associate to escape, only served to render his confinement the stricter and more severe: thus the new proprietors of Leix and O'Fally were left to form their settlements with less interruption or control. Those kinsmen or followers of the Irish chieftains who were most likely to revive their claims, were persuaded to supply their immediate necessities, by repairing to England, and engaging in the king's army; and the forces of Bellingham easily intimidated others, or chastised their rash attempts. He had the sole honor of gaining two considerable districts to the English territories, and was said to be the first, for several ages, who had enlarged the borders of the pale.

Davis.

Ware.

BELLINGHAM received for his reward the honor of knighthood, and the government of Ireland, which he exercised for some time in a perpetual state of agitation; guarding against attempts to interrupt his new settlements, deciding the contests of Irish lords, controlling their oppressions, and emancipating their inferiors from their old vassalage. At the same time he was obliged to contend with factions formed against him by the great subjects of the old English race, who envied his power, or were dissatisfied with his administration. While Sir Francis Bryan, who had married the widow of the late earl of Ormond, and during the minority of her son, enjoyed all the consequence of this great family, made the most unfavorable representations of the deputy and his conduct, at the court of England, he was employed in a faithful and vigilant discharge of his commission, and a wary attention to the interests of the crown. The friends of Rome still continued their secret practices, and, alarmed at the prospect of further innovations in the ecclesiastical system, redoubled their assiduity; and even in the English pale were but too successful in fomen-

fomenting and propagating discontent. They had contrived to enflame the zeal of some young and inexperienced lords of the family of Fitz-Eustace, who grew impatient to distinguish themselves as champions of the church, and found means to involve their father, the viscount Baltinglass, in a wild and indigested scheme of insurrection. But before they could proceed to any outrageous excesses, the vigilance and activity of the governor terrified them from their purpose; and stifled a flame, which, if neglected, might have spread to a formidable extent. The offenders were readily pardoned; and, by their lenity, reconciled to government*.

THE same liberal policy of preventing, instead of punishing the guilt of rebellion, Bellingham is said to have discovered in his conduct towards the earl of Desmond. On the accession of the new king, Hooker. this lord had retired to his lands, and there began to resume his former course of rude magnificence and independence. The deputy, who was solicitous that all suspected lords should reside at the seat of government, under his immediate and constant inspection, summoned Desmond to repair to Dublin; and on his refusal, pierced unexpectedly into Munster with a small train, and surprised him in his house. Some gentle and conciliating expostulations wrought upon the earl: he was conducted to Dublin, where he consented to reside, and where Bellingham laboured to train him to civility, and to impress his mind, by example and instruction, with all the

* About this time it appears that some efforts were made by Henry the second of France to attach the Northern Irish to his interest, and to engage them in an insurrection against the English government. Montluc, bishop of Valence, was sent for this purpose to treat with the chieftains of Ulster. O'Nial, O'Donnel, and O'Dougherty, received his overtures favorably. But the transaction was not attended with any effect or consequence. Melvil, who accompanied Montluc, mentions some ridiculous circumstances of the conduct of this prelate, which were more noticed by the barbarous Irish than the purpose of his negotiation.

the duties of social and political life. This method of forming a loyal subject and a good citizen had its full effect upon the earl. Touched with the happy change in his condition, he adhered to the precepts he had received, and expressed his gratitude in daily prayers for his benefactor, by the name of *the good Bellingham*.

Cox. THE clamors and insinuations of his enemies deprived the kingdom of the services of this active governor; and on the sudden death of Sir Francis Bryan his immediate successor, Brabazon was chosen deputy by the council, and proceeded for some time in the usual course of quieting the discontented, and reconciling disaffected chieftains, whose pride or injuries had prompted them to some hostile attempts. But as the protector Somerset had successfully proceeded in the English Reformation, and was resolved that the liturgy of the church of England lately established by the legislature, with the other ordinances relative to religion, should be introduced into Ireland, the abilities and experience of Sir Anthony Saintleger were deemed necessary for this service. He was appointed lord deputy, and sent to Ireland, with a commission to convene a parliament in that kingdom.

A. D.
1550.

IN England, the dispositions of a great part of the people concurred with those of the crown, and even ran before their rulers, in the revolt from popery. In Ireland, the Reformation was tendered to a prejudiced and a reluctant people. The avowed enemies of English government, and the factious opposers of administration naturally regarded every new regulation in the affairs of religion, as arbitrary, oppressive, and injurious, and seized the occasion of inveighing against such offensive exertions of authority. The more peaceable, who had never been accustomed to a serious discussion of the great points in controversy, rested indolently upon the antiquity (as it was called) of the former establishments, and, in this relaxed state of mind, were
stricken

stricken with great terror, at the denunciations of divine vengeance, thundered by the friends of Rome, against heresy and innovation. The vindictive character of Henry the eighth, and the rigor of his government, had driven many of the pale as well as of the Irish race to formal professions and condescensions, which the very ease and readiness with which they were made, shew to have been made without due attention and serious conviction. The authority of a minor king was less esteemed or dreaded, at the same time that the requisitions now to be made were more extensive, and did greater violence, to the popular prejudices.

As to the inferior orders of men, no measures appear to have been taken, from the first beginnings of the Reformation, to enlighten their ignorance, or correct their prejudices. "Hard it is," saith a chancellor of Ireland in this reign, "that men should know their duties to God and to the king, when they shall not hear teaching or preaching throughout the year." And at a time when the mechanic in England could hear and convey instruction, and was habituated to religious enquiry, the same minister complains that in Ireland, "preaching we have none, which is our lack, without which the ignorant can have no knowledge." At first view one might suppose that in the more civilized districts at least, some measures might have been pursued for promoting the knowledge of religion; and that archbishop Browne, not contented with removing images and destroying reliques, might have formed an active and zealous mission, to labour for the conversion of the people. But numbers of the clergy, we have already seen, abandoned their cures rather than disclaim the papal authority; nor was it possible to fill up their wretched benefices at once with zealous and able reformers. Neither do we find those Englishmen his suffragans who were favorers of the Reformation, distinguished by any commendable services: nor were the

Cusack's
Letter to
D. of
Nor-
thumberl.
A. D.
1552.
MS. Trin.
Col. Dub.

labours of such English clergymen fitted for the circumstances and necessities of the nation. Even within the English pale, the Irish language was become so predominant, that laws were repeatedly enacted to restrain it, but with that inefficacy with which laws are generally opposed to inveterate customs, and in a country not inured to obedience. In those tracts of Irish territory, which intersected the English settlements, no other language was at all known: so that here, the wretched flock was totally inaccessible to those strangers who were become their nominal pastors. The laws made in the late reign to correct these inconveniencies, even if duly obeyed, required some considerable interval, to operate with any effect. In the mean time the partizans of Rome found a ready admission into those districts where the reformed clergy, if such there were, could neither be regarded nor understood. They spoke to their countrymen and kinsmen, in their own language, and were heard with attention, favor, and affection. If we look to those parts of Ireland more remote from the seat of English government, the prospect still appears more gloomy. Here, many of the prelates still continued to be nominated by the pope, and enjoyed their sees by his provision, in defiance of the crown of England: others, though appointed by the king, had yet a rival sent from Rome to contend with. The people, removed beyond the sphere of English law, had not known, or not regarded the ordinances lately made with respect to religion, nor considered themselves as interested or concerned in any regulations hereafter to be made. The only instance in which they conceived themselves bound to English government, even in the present revival of its power and consequence, was that of not rising in arms, and invading the king's subjects: and that authority which had not as yet reduced them within the bounds of civility, could not, without the imputation of extravagance, attempt to model their religious sentiments.

Davis.
Ware de
Præ. H.

. THE

THE scheme of religious reformation in a country thus circumstanced, was entrusted to a man suspected of being indifferent to its success. And by being employed with equal confidence both in this and the succeeding reign, he seems to have been ^{Cox.} more attentive to his duty as a statesman, than to any controversies about the modes of faith and worship. Whether from the apprehension of a violent opposition to the measures of government, or from whatever other cause, the design of convening an Irish parliament was laid aside, and the royal proclamation was transmitted, and addressed to the clergy, enjoining the acceptance of the new liturgy. The proclamation was not incautiously worded. It expressed nothing more than that the prayers of the church had been *translated* into the mother tongue for the edification of the people; without mention of any alterations, or the discussion of any particulars which might occasion scandal, or excite controversy: and before it should be promulgated, Saintleger assembled the prelates and clergy, and submitted it to their inspection as the royal will and pleasure concurring with the grave opinions of the reverend clergy of England; and the result of their sage and pious deliberations, for the welfare of Ireland.

On the death of Cromer archbishop of Armagh, ^{Wara.} Robert Waucop had been nominated to this see by ^{Pat. 35.} the pope. But in defiance of this nomination Henry, ^{H. VIII.} at the instances of Saintleger, transmitted his mandate for the appointment of John Dowdal, a native of Ireland, to the primacy: a man whose devotion to Rome outweighed his gratitude either to the throne or to his patron. He stood forth at the head of his northern clergy, a bold and determined opposer of the royal proclamation. He treated the new liturgy with the utmost scorn, by which, as he expressed it, every illiterate fellow might be enabled to read *Mass*. Saintleger replied that there were indeed too many illiterate priests, as ignorant of the language in which divine service had hitherto been per-

Easter-
Day.
A. D.
1551.

performed, as the people who attended; but that the present office was calculated for the edification of both. He was interrupted by Dowdal with a stern and haughty admonition to beware of the clergy's curse: and after some further altercation, the primate arose, and departing from the assembly was followed by almost all his suffragans. Browne, who now remained the first in dignity among the prelates, declared his acceptance of the king's order; Staples of Meath, Lancaster of Kildare, Travers of Leighlin, and Coyn of Limerick, concurred; and the liturgy was soon after read in the cathedral of Christ Church, Dublin, in the presence of the deputy, magistrates, and clergy.

Ann.
Doneg.
MS.

THE hardy opposition of Dowdal and his seceding clergy naturally tended to create them popularity, and to confirm the people in their affection for the ancient worship. Men, bold enough to stand in contradiction to the will of their superiors, are presumed to act from the pure and conscientious motive of sincere persuasion; and the vulgar sought no other cause of this persuasion, but the force of genuine truth and reason. The conduct of the opposite party they attributed to the most invidious motives, and thus became more prejudiced against a cause, supported by men, as they were taught, of worldly and temporizing views, and who sacrificed their consciences to the favor of a court. And the prejudices conceived against the Reformation, by the Irish natives more especially, were still further increased, by the conduct of those who were commissioned to remove the objects and instruments of popular superstition. Under pretence of obeying the orders of state, they seized all the most valuable furniture of the churches, which they exposed to sale without decency or reserve. The Irish annalists pathetically describe the garrison of Athlone issuing forth, with a barbarous and heathen fury, and pillaging the famous church of Clonmacnoise, tearing away the most inoffensive ornaments, books, bells,

bells, plate, windows, furniture of every kind, so as to leave the shrine of their favorite saint KIERAN, a hideous monument of sacrilege. Nor do such complaints appear to have been entirely groundless: for we find that Sir James Crofts, the successor^{Cox ex} of Saintleger, who had been remanded into Eng-^{MSS.} land, was particularly instructed to prevent the sale^{Lamb.} of bells and other church-furniture.

THE sudden removal of Sir Anthony Saintleger is generally imputed to the practices of archbishop^{Wara.} Browne, who was known to have accused him to the^{Cox.} court of England, and was supposed to ascribe the opposition of the northern clergy to his indifference and remissness. And as the conduct of Dowdal had elevated the Romish party in Ireland, and been particularly offensive and alarming to the English ministry, the first care of the new deputy was to labour by persuasion and address, to soften his opposition, and reconcile him to the new regulations of public worship. The primate was now the great object of attention to all those who attended to religious controversy. Whatever concessions he had made on receiving his promotion, and whatever acknowledgments of the king's supremacy, were forgotten or supposed to be sufficiently atoned for. He was universally regarded as the principal, and leader of the friends of Rome; a situation which naturally elevates the mind, and gives force and spirit to its prepossessions. He had retired with an affected^{MS.} dignity of resentment to the abbey of Saint Mary^{Marsh.} in the suburbs of Dublin, taking no part in the^{Lib. Dub.} public councils, and declining all intercourse with his conforming brethren. Here, he received a letter from the deputy, by the hands of his suffragan of Meath, reminding him of the obedience due to his sovereign, which Christ himself had recommended by his example, and which, it was added as an argument equally forcible, the bishops of Rome had not scrupled to acknowledge: expressing
a desire

a desire of being the instrument of reconciling and uniting him with his brethren; and requesting that for this good purpose he should appoint a place of conference; that the order and discipline of the church of Ireland might be amicably adjusted by the clergy, the only way of preventing some new and still more violent orders of regulation from the throne.

MS.
Marsh.
Lib. Dub.

DOWDAL was still further flattered and elevated by this application. He replied with a cold civility, that he had too good reason to fear that it would be vain for him to enter into any conference with a number of obstinate churchmen; or to hope that the differences which had occasioned his separation could be easily adjusted; that they were points in which the judgments and consciences of the contending parties were totally opposite; however, that he accepted the friendly offers of the deputy, and should rejoice to see him; but as he had lived for some time in a course of retirement, did not think it meet to appear at his lordship's palace. This provoking stateliness was overlooked, from a desire of reconciling the whole body of the clergy to the royal ordinance. It was agreed that the primate should be attended by his brethren. The conference was opened in the form of a theological disputation, held in the great hall of the abbey, in which Dowdal defended the Romish mass, and Staples, bishop of Meath, was advocate for the reformed mode of worship; an ostentatious method of decision, which had its natural and usual effect. Each party claimed the victory; and each retired with still greater acrimony against the other.

IN this determined opposition, Dowdal persevered with the greater ease, as it could not render him obnoxious to any penalty. The royal proclamation did not now claim the authority of law even in England; and no law had as yet established the new liturgy in Ireland. The court was insulted without a power of vindicating its authority; and the people spirited
against

against its orders, without any legal opportunity of restraining or punishing their grand seducer. A punishment however was devised and inflicted upon Dowdal, which, must appear ridiculous to an age little affected by contests about ecclesiastical dignity, but which in the times we now treat of, was grievous and mortifying.

THE question of precedence between the sees of ^{Usher} Armagh and Dublin had been agitated for many ^{MS. in} ages with the utmost violence. ^{Bib. Trin.} The decisions of ^{Col. Dub.} popes and councils had been pleaded by both parties, and the royal authority of England had frequently interposed to allay their acrimony. Whether appeals in ecclesiastical causes should be brought from one diocese to the other, or where the final sentence should be pronounced, seemed of less moment than whether the prelate of Armagh should have his crosier borne erect within the jurisdiction of his rival. An opposition to this mark of superiority had been deemed a sufficient reason for declining his attendance in parliament; and produced the most pathetic remonstrances against the injurious violation of his dignity. The decision, which at length seemed to reconcile the contending parties, was, that each prelate should be entitled to primatial dignity, and erect his crosier in the diocese of the other: but that, according to the distinction established in England between the prelates of Canterbury and York, the archbishop of Dublin should be contented with the title of Primate of Ireland, while the archbishop of Armagh should be stiled, with more precision, Primate of All Ireland. But Dowdal had now offended so grievously, and the services of Browne had been so distinguished, that the old arrangement of this momentous affair was entirely reversed. By the king's patent Armagh was deprived of the superior title, which with all its powers and privileges was conferred on Browne and his successors for ever, in the see of Dublin. Dowdal is said to have been so stung with this mortification,

tification, that it determined him to abandon his diocese. It is equally probable that it served to awaken him to a sense of his danger; that his fears interpreted it as the first step to further severities from an incensed court, and that he consulted his safety by retiring to the continent.

It plainly appeared by this step, that the primate was not possessed with the determined spirit of a confessor, or that his passions did not suffer him to discern the true interest of his cause. He fled at a time when the whole tide of popularity ran violently in his favor; when, by the conduct hitherto pursued, he might perceive that the English court was by no means disposed to make a dangerous experiment of its power in Ireland, by inflicting any severities on the popish clergy; he deprived his friends of a leader whose station commanded respect, and left his opponents to improve the opportunity of his retreat. The king was taught to regard it as a renunciation of his pastoral charge, and appointed him a successor in the see of Armagh. At the same time John Bale, the violent and acrimonious impugner of popery, was nominated to the see of Ossory. His rigid and uncomplying spirit appeared immediately on his consecration. Lockwood, dean of Christ-Church, proposed that the Roman ritual should be observed on this occasion, as the people were disinclined to the reformed liturgy, and the new order of consecration had not been established by a parliament in Ireland. All the clergy, and even Goodacre, the new prelate of Armagh, seemed disposed to acquiesce. But Bale was a determined enemy to all such condescensions. He had come with no very exalted idea of the authority of an Irish parliament, but fully possessed with the dignity and power, and confident in the favor of his royal master, who had granted him his promotion unsought and unexpected. He obstinately refused to be consecrated according to any other

Ware de
Præb. H.

other but the reformed ritual: and by his firmness prevailed, and even terrified the clergy into a compliance. He saw the wafer or stamped cake prepared for the communion. He suspended the whole office, until it was removed, and common bread placed on the table. Even the weak among the new reformed were terrified: and the Romish party held this spirited and turbulent enemy in the utmost abhorrence. His learning which was stupendous, compared with that of his Irish brethren promised to do considerable service to the cause of reformation, and even the vehemence of his temper seemed well suited to the place and circumstances of his mission. But the truth is, that the business of a religious reformation in Ireland, had hitherto been nothing more than the impositions of English government on a prejudiced and bigoted people, not sufficiently obedient to this government, not sufficiently impressed with fear, or reconciled by kindness. Bale insulted the prejudices of his flock without reserve or caution. They were provoked; and not so restrained, or awed by the civil power as to dissemble their resentments. During the short period of his residence in Ireland, he lived in a continual state of fear and persecution. On his first preaching of the reformed doctrines, his clergy forsook him, or opposed him; and to such violence were the populace spirited against him, that five of his domestics were slain before his face; and his own life saved only by the vigorous interposition of the civil magistrate. These outrages are pathetically related; but we are not informed what imprudences provoked them, or what was the intemperate conduct which his adversaries retorted with such shocking barbarity.

MS. Lib.
Marsh.
Dub.

Vocation
of Johan.
Bale.

THE apprehensions of disorder from religious controversy, and the general attachment of the people to their ancient mode of faith and worship, necessarily induced a cautious and vigilant administration of civil affairs, so as to enforce the regulations

Cusack's lately made. And such was the comparative tranquillity of the whole country, that the Irish statesmen now began to entertain hopes of its complete and final settlement, if the court of England could be engaged on this useful object, and the king's government in Ireland so strengthened and supported, as entirely to suppress the antient Brehon jurisdiction, and extend the benefits of English law through every quarter of the island. Urgent representations were made to the English minister of the propriety and necessity of this measure, but without effect; for the deep intrigues of the duke of Northumberland, and the inquietudes which his ambition had occasioned, left no leisure to pursue a design which required attention and circumspection, together with a force sufficient to impress a strong and general terror of the English power, in Ireland. For, whatever were the overtures of the Irish in former ages, when the settlements of their invaders had spread widely through their country, yet their ancient pride reviving with their power, in the reigns of Edward the second and third, confirmed their attachment to their antient manners; of which they, who cherished the remembrance of Irish grandeur and independence were at this time particularly tenacious, when England was gradually regaining that extent of influence and dominion which had gradually been lost. An Irish annalist of the present period mentions an attempt to break in on those institutions, which a long series of ages had established among his countrymen, as a fair and justifiable cause of taking arms.

Ann.
Doneg.
MS.1553.

AND this inveterate adherence to the manners and institutions of former ages, was now become the great obstacle to the Irish vicegerent, in his attempts to preserve the different inhabitants within the bounds of peace and submissiion. Leinster had indeed been reduced to a tolerable state of tranquillity, by accommodations made with the family
of

of Mac-Murchad, by adjusting the claims of the old natives, and assigning them lands intermixed with English settlements well secured and strengthened by castles and garrisons. In the Western province, the different branches of the family of De Burgo had considerably reduced the power of the antient natives, who lived in a continual course of petty hostilities against each other; and this great family seemed now completely reconciled to English government. But on the death of the earl of Clanricard, his followers, with their old infatuated aversion to English law, proceeded to elect a captain of their sept, under pretence of objecting to the legitimacy of the earl's son; while this young lord chose to assert his right of succession by force of arms, rather than by a tedious and precarious appeal to the lord deputy. In like manner, on the death of the earl of Thomond, his legal successor, the baron of Ibracken, was, by the turbulence of his brothers, Daniel and Turlogh, and the factious clamors of his sept, compelled to nominate a Tainist according to antient usages. Daniel O'Brien was appointed to this dignity, and although obliged to relinquish it for the present, by the vigorous interposition of English government, yet he only waited a fair occasion to assert it, by a bloody and successful war.

Ann.
Doneg.
MS. 1583.

But the principal distress of English government in this reign, arose from the factious disorders of the great Northern family of O'Nial. The earl of Tir-owen, notwithstanding the fulness of his late submission, had been originally possessed with the most elevated notions of the greatness and regal splendor of his family. He had once pronounced a curse on those of his posterity, who should ever conform to the English manners, or associate with the Saxon race. And now all these favorite ideas were revived, when from his own reconciliation with English government, he returned to an intercourse with his kinsmen and followers. His son Matthew, whom he

Moryson,
B. I. C. I.

Ann.
Doneg.
MS.

Cusack's
Lett. to
D. of Nor-
thumb.

Ware.

he had declared, and who had been accepted as his heir, and created baron of Dungannon, was really illegitimate: and this unnatural partiality of the father to a child, who had for many years been deemed the son of a smith, could not but raise extraordinary jealousy amongst his legitimate children. John, or Shane O'Nial, as he is called, a youth of vigor and intrepidity, impatient of the English power, fitted for the turbulence, and glorying in the rude magnificence of Irish nobility, supported by Hugh, another brother of the family, of similar character, laboured to alienate their father from the baron, and from the government which had countenanced his shameful partiality to a bastard son; reproached him with his degenerate submissions to the crown of England; and exhorted him to resume the antient dignity and independence of his house. The earl was but too susceptible of such impressions; and readily sacrificed the interest of his favorite to the hopes of shaking off the trammels of allegiance, and recovering the antient consequence of O'Nial. Some attempts made against Matthew, with the contrivance of the earl, raised considerable commotion, and obliged this lord to alarm the deputy with his own danger, the practices of John and Hugh, the suspicious conduct of his father, and his dispositions to a revolt. The earl and his countess, a principal agent in seducing him from his allegiance, were suddenly secured, and at first kept in a state of honorable restraint within the English pale; but on some further rumors of their disloyal purposes, committed to close durance in the house of a magistrate of Dublin.

JOHN affected the utmost resentment; collected his followers, was assisted by some neighbouring chieftains, and declared war against Matthew, to whose practices he imputed the indignity offered to his parents. The baron relied for assistance on the lord-deputy: the lord-deputy, depending on the powers

powers commanded by the baron, hastened to join him with some new raised levies. John and his partizans were reinforced by a body of Scots, who had made a descent on Ulster, and were ready to engage in the service of any chieftain, who could supply their wants. He suddenly attacked the enemy, defeated and pursued them with considerable slaughter; and, encouraged by this success, plundered his father's mansion, ravaged his whole territory, and spread desolation through a district the fairest and most flourishing of the whole island, more than sixty miles in length and forty broad. Repeated attempts were made by Sir James Crofts to reduce him, which, by the vigilance and activity of the revolted brothers, ended in disgrace and disappointment. And the flame of war thus kindled in Tir-owen, though it subsided at certain intervals, yet was not for many years totally extinguished. Nor was the turbulence of this ambitious family repressed, until it had operated essentially upon the affairs of Ireland.

In the mean time, the death of Edward the sixth had its principal effect in the ecclesiastical system; and at once confounded all the weak efforts which had hitherto been made to introduce the Reformation into Ireland. The council in England had been forced to comply with the weak and precipitate measures of the duke of Northumberland, and transmitted an order for proclaiming the lady Jane in Ireland. But this was quickly followed by a letter expressing their concern at having thus *borne with the time*, declaring that their sovereign lady, queen Mary had been proclaimed in London, and directing that like proclamation should be made to all her loving subjects of Ireland. The officers of state were confirmed in their several departments; particular grants and favors were conferred on several persons who pleaded their services or sufferings: of which number, George Dowdal was restored to the dignity and office of primate of all Ireland,

Ann.
Donag.
MS.

Cusack's
lett.

Rot. Can.
H. An.
1 Mar.
A. D.
1553.

Ibid.

Ireland; and invested with the priory of Athirdee, in consideration of the spoil made in his archbishopric during his absence. With the same appearance of clemency which had been shewn in England on the coronation of Mary, a general pardon was granted to all her subjects of Ireland. No violent changes were as yet attempted in the religious establishment,

Ware.

Rot. Can.
H. 1 Mar.

A licence only was published, as in England, for the celebration of mass, without penalty or compulsion; and among the royal titles, that of supreme head, on earth, of the church of Ireland, still continued to be inserted in the acts of state.

Among the graces extended by Mary to her subjects of Ireland in the first year of her reign, (though not immediately on her accession) we may reckon the complete restoration of the noble family of Kildare. The young lord Gerald who had escaped the vengeance of Henry the eighth, returned to England during the reign of Edward, where his graceful person and refined manners captivated the daughter of Sir Anthony Browne, knight of the garter. By marrying this lady he formed an interest which soon gained him the royal favor. He was knighted, and restored to a considerable part of the possessions of his family. To these Mary now added the honors of his ancestry: and soon after vested him with all the estates forfeited by the attainder of his father. He returned to his native country, with the young earl of Ormond and a son of the baron of Upper-Ossory, both educated at the court of England together with the king, both distinguished by their military services, and the latter an especial favorite of young Edward. About the same time Charles Kevanagh, as he was called, head of the great Leinster family of Mac-Murchad, was created a peer of the realm by the title of baron Balyan; but still with an attention to the old Irish manners, was by the same patent, nominated captain of his sept or nation: so that, while he himself was made a lord of parliament, still he was to exercise the

Ware.

Pat. 1
Mar. Rot.
Can. H.

Anp.
Doneg.
MS.

antient

antient jurisdiction over all his followers. Among other instances of royal grace, a daughter of O'Connor, chieftain of O'Fally, (who had been so long imprisoned) by cultivating the English language and manners, and forming connexions at the court of England, was enabled to procure her father's liberty. His return to Ireland naturally alarmed the jealousy of those who had received grants of his demesnes. They industriously possessed the deputy with dreadful apprehensions of his turbulence and disaffection; and obliged him to renew his submission, and to give up his son an hostage for his peaceable and dutiful behaviour.

MARY was the readier to grant such conciliating marks of favor, as she judged of the dispositions of her Irish subjects by what she observed in England: and apprehended the same difficulties in her design of restoring the antient religion, in a country that had scarcely known any other, which she experienced among a people, of whom numbers were averse from it, even to a high degree of fanaticism. Sir Anthony Saintleger who had been entrusted with the government of Ireland, when the new regulations of divine worship were to be established in the reign of Edward, was again made the deputy under whose auspices they were to be abolished. The return of Dowdal was a signal to the reformed clergy of the approaching storm. Bale of Ossory, the bitter enemy to popery, and Casey of Limerick, fled in dismay: others were more constant, or less alarmed. The general pardon granted on the coronation of the queen, in effect secured them from very severe animadversions on their former conduct; but many of them, on renouncing the authority of Rome, had used the liberty which the laws of God and man allowed, and, by taking wives, were become obnoxious to the popish canons. Dowdal received a commission to enquire into this offence, and in conjunction with one Walsh already nominated to the see of Meath, to
deprive

Ann.
Doneg.
MS.

Ibid.

deprive the married clergy. Staples was first removed to make way for his judge. Browne of Dublin, whose former zeal and authority had now rendered him totally unpardonable, Lancaster of Kildare, and Traverse of Leighlin, were successively ejected; and their sees filled with ecclesiastics devoted to the Romish communion. Several of the inferior clergy were treated with like severity: and Dowdal in his synods outran the zeal of government, and already proceeded to re-establish the whole popish system.

BUT as all further ordinances with respect to religion were as yet suspended by the English ministry, Saintleger and his successor Fitz-Walter earl of Sussex, were left at leisure to repress the disorders perpetually arising in different quarters of the island. The old Irish inhabitants of Leix and O'Fally could not patiently resign their claims and possessions to the new settlers. They were ever spiriting up their friends and followers to resist what they deemed an injurious usurpation of their lands; and thus brought down the vengeance of government upon their own heads. Numbers of them were cut off in the field, or executed by martial law: and the whole race would have been thus utterly extirpated, had not the earls of Kildare and Ormond interceded with the queen, and become sureties for the peaceable behaviour of some survivors. These young lords, on their return to Ireland, found sufficient employment for their valor and activity. Ormond was dispatched to repress the insolences of Daniel O'Brien in Thomond; Kildare was commissioned to engage in the local quarrels of Ulster, and to assist John O'Neal, (who was received on his submission into the protection of government,) against some of his turbulent kinsmen. A powerful body of Scottish islanders, invited into Ulster by the chieftain of Tirconnel, joined those who had already settled in this part of Ireland, and were followed by others of their roving countrymen; swarmed over the

Ann.
Doneg.
MS.

Ware.

Ann.
Doneg.
MS.

the North, were ready to engage in the service of any Irish leader, who wished to oppress his neighbours, or gratify his revenge; pierced into Connaught, and every where fomented local quarrels. These adventurers at length became so pestilent, that the lord-deputy, Sussex, was obliged to march out against them; and so powerful, that they ventured to engage the royal army. They were easily defeated, but not exterminated; for Sussex was soon diverted from a war in which little honor could be acquired, by affairs of greater moment.

MARY had concluded her treaty of marriage with Philip of Spain; confirmed her authority by the suppression of Wyatt's rebellion, received her husband, admitted cardinal Pole into England in the character of legate, to reconcile her kingdom to the holy see; and assembled her parliaments in which this reconciliation was completed. The flames of persecution were already kindled, and raged with infernal violence in England; when the court found leisure to extend its charitable cares to Ireland, and in this realm also to tear up every root of heresy. Sussex was directed to convene a parliament, to which the great business of re-establishing the ancient faith and worship was committed. The lords and commons assembled on the first day of June in the year 1556. The deputy who had received a bull from Pole, conveyed it to the chancellor to be read in full parliament. It recited the fatal separation of Ireland from the see of Rome, the effect of fear rather than free-will; and the readiness with which the whole island had been turned to its obedience to the sovereign pontiff, on the accession of Mary, that immaculate princess, who had with such firmness and constancy preserved herself pure from the foulness of heresy. It pronounced a plenary absolution on all the inhabitants from this their offence; ratifying at the same time, all dispositions of benefices, confirming marriages, dispensations, and other ecclesiastical proceedings, during the late schism; securing the possession of church lands

Ir. Stat.
3 & 4
Phil. &
Mary.

to those who had been invested with them, but not without a gentle admonition to beware of sacrilege, and to restore at least what might be necessary for the maintenance of parsonages and vicarages; and enjoying the parliament to abrogate all laws enacted against the supremacy of Rome. The bull was read aloud by the chancellor, kneeling on his knees; and received by the whole assembly of lords and commons in the same humble posture, in token of reverence and contrition. They adjourned to the cathedral, where *Te Deum* was solemnly chaunted, and public thanksgiving offered up in all the most affecting forms of worship, for the present happy restoration of the realm to the unity of the holy church.

AFTER this devout preparation, which, as it expressed their own zeal in a manner highly flattering to the court, at the same time served to strike the people with a lively abhorrence of all late innovations, the parliament proceeded to execute the directions of the English ministry. They began with declaring that the queen's majesty had been born in lawful matrimony, and repealing all sentences of divorce, and all acts passed in the reign of Henry, whereby the succession of the crown was established to the prejudice of Mary. They declared the regal power of Ireland to be vested in her as fully as in any of her most noble progenitors. They adopt the proceedings of the English parliament for ascertaining such offences against the king and queen, as shall be deemed treason, and for the government and administration of the realm by their issue. Hence they proceed to revive all statutes made in Ireland for the punishment and suppression of heresy; they solemnly ratify and establish all the provisions of the bull transmitted by the legate Pole, repealing all acts made against the holy see, since the twentieth year of Henry the eighth, re-establishing the jurisdiction of the pope, discharging the payment of first fruits to the crown, and restoring to the

Ir. Stat.
3 & 4
Phil. &
Mar.
c. 1. 2.

Ibid.
cap. 3, 4.
&c.

the church the rectories, glebes, and other emoluments vested in the crown since the twenty-eighth year of Henry the eighth, so as to reserve only the lands granted to the laity, which no zeal for religion could induce them to resign, and which it was deemed highly dangerous to wrest from them, in either of the kingdoms.

BESIDES the acts passed in this parliament for the regulation of ecclesiastical affairs, others were ordained for the civil government of the realm. The usual subsidy, and for the usual term, was granted to the queen, for the especial purpose, as the act expresses, of enabling her to expel the Scottish islanders: whose numbers were so considerable, and their outrages so dangerous, that it was declared to be high-treason to invite them into Ireland, or to entertain them; and felony to intermarry with them, without licence from the lord deputy. For the better disposition of the districts of Leix and O'Fally, which were considered as countries recovered from the rebellious Irish inhabitants, lord Sussex was empowered to grant estates or leases in them, at his pleasure, with reservation of such rents as he should deem expedient. By another act, these and the adjacent districts were for ever vested in the crown, and converted into shire-land. Leix was denominated the Queen's county, and its principal fort was stiled Maryburgh: with a like compliment to the royal consort, O'Fally was called the King's county, and its fort named Philips-town. With an appearance of still greater vigor and authority, the chancellor was empowered, on the prorogation or dissolution of the parliament, to direct a commission under the great seal for viewing all the towns, villages, and waste grounds of the kingdom, and reducing them to counties, shires, and hundreds: a power which could not be at this time effectually and extensively executed, and which was granted with such caution and diffidence in the event, that the crown was empowered at any time within seven years,

years, to suspend or revoke the commission with all its proceedings.

BUT the law of this parliament which must at this day be deemed of greatest consequence, and which must hereafter be more particularly considered, was that for explanation of the famous act of Poynings. An interval of thirteen years had elapsed, in which no parliament had been held in Ireland, a period more than sufficient to render the usage of holding such assemblies, and enacting laws, doubtful and obscure, to a people never strictly attentive to the proceedings of their legislature, had this usage been ever so regular, uniform, and invariable.

As the kingdom became less disordered, and the English power encreased in Ireland, the parliament became of proportionably greater consequence, and men were more at leisure to discuss the rights of the crown, and those of the legislature. And they who argued on that side which appeared least favourable to prerogative were possibly not so much embarrassed and intimidated in the reign of a woman, as in that of Henry, whose authority was enormous, and his rigour terrible. To put an end to contest and debate, the present parliament formally defined the intent and meaning of Poyning's law. It was enacted that no parliament should be summoned or holden in Ireland, until the chief governors and council should certify to the throne the causes and considerations, and such acts and ordinances as they judged meet to be enacted: that when these were approved, and returned under the great seal of England a parliament should be summoned for the purpose of passing such acts, and no other. But forasmuch as events might happen during the time of parliament, necessary to be provided for, the chief governors and council were empowered and directed to certify such other causes and provisions, after the summons and meeting of parliament, as they shall further, then, think good to be enacted: which, and no others, shall be passed, in every such parliament,

parliament, if agreed to by the three estates. At the same it was provided that all the parliaments, and all the acts passed since the tenth year of Henry the seventh, should remain in the same force as if this act had not been made; and that nothing therein contained, should extend to the defeating of any provisos made in the present session. Such was the act which finally determined the usage of holding parliaments and enacting laws in Ireland, and by which the proceedings of its legislature are at this day determined.

ANOTHER act of this parliament, though of a private nature, yet should not be entirely unnoticed, as it affords an instance of the meanness of ecclesiastical rancour. The successor to George Browne ^{Ir. Stat. 3 & 4} in the see of Dublin, presented a petition to the ^{Phil. & Mar. c. 10.} parliament, complaining of devastations made in the archiepiscopal rights, during the late schism. His application was favourably received: it was enacted, that all conveyances made of the lands and possessions belonging to the see, by Browne, without a royal licence, all demises of any parcel of the archbishopric, to his own use, or to that of any bastard of his, should be utterly void. The spirit of popish zeal, which glutted all its vengeance in England, was, in Ireland thus happily confined to reversing the acts of an obnoxious prelate, and stigmatizing his offspring with an opprobrious name. Those assertors of the Reformation who had not fled from this kingdom, were by the lenity of Irish government suffered to sink into obscurity and neglect. No warm adversaries of popery stood forth to provoke the severity of persecution: the whole nation seemed to have relapsed into the stupid composure of ignorance and superstition, from which it had been scarcely awakened. And as it thus escaped the effects of Mary's diabolical rancour, several English families, friends to the Reformation,

Ware.

mation, fled into Ireland, and there enjoyed their opinions and worship, in privacy, without notice or molestation *.

Ann.
Doneg.
MS.

THE intervals between the several sessions of this parliament, afforded the chief governor various opportunities of repressing and intimidating the disturbers of the public peace, by petty expeditions into different quarters of the island. To secure the new settlements in Leinster, he pursued the remains of those Irish septs, that had been ejected, with a severity of execution which the Irish annalists relate with horror. He marched against the Scots in Ulster, and laid waste their haunts, but instead of exterminating these dangerous rovers, found it necessary to treat, and to accept the submissions of some of the less turbulent among them. These enemies served to divert his attention from the great Irish chieftains of the North, and gave them an opportunity of relapsing into their ancient manners, without restraint. John O'Nial of Tir-owen continued his petty hostilities with the baron of Dungannon, until this unhappy lord had fallen by the hands of some of those barbarous followers retained by his brother. On the death of the old earl his father, which the afflicting disorders of his family had hastened, he openly assumed the leading of his powerful sept, in defiance of the pretensions of Matthew's issue; and contenting

* A popular story however prevailed in the subsequent reigns, for which primate Usher, and the earl of Cork are quoted as the principal authorities. It was said, that Cole, dean of St. Paul's, was sent into Ireland with a commission to the state, for proceeding against heretics with the utmost severity: that at Chester he shewed this commission, with great exultation in the presence of his hostess. The good woman who it seems was allied to some protestants who had retired to Dublin, we are assured, was artful enough to steal the commission from the box in which it had been deposited. Cole proceeded on his voyage; appeared before the Irish council; explained the queen's intention; but instead of his commission, presented a pack of cards substituted in its place. He retired in confusion: and the death of Mary prevented the renewal of his commission.

contenting himself with declining any direct hostilities against English government, asserted his superiority over all the neighbouring clans with an imperious and rigorous severity. By a rude and boisterous valor he gained the esteem of his followers, who collected in great numbers round a chieftain, who indulged, and by his example encouraged them in excess, riot, and lewdness; possessed with all the gross vices of barbarous life, and with an extravagance of family pride, affecting as it were a patriotic abhorrence of English refinement. The Irish annalists record an expedition of this brutal leader, more circumstantially than usual; and the reader may not possibly be displeased to have their narrative laid before him, as it gives us a picture of the manners of their countrymen at this period, as well as a specimen of their native history.

DOMESTIC dissention had for some time raged in the leading family of Tirconnel. The chieftain of ^{Ann.} this district, worn out with age, and oppressed by ^{Doneg.} the unnatural cruelty of his son Calvagh, who had ^{MS.} detained him two years in prison, could but ill support the honors of his family, or the independence of his tribe. Hugh, his other son, to revenge these quarrels which had raged between the brothers, fled with his partizans to O'Nial, pressed him to seize the favourable moment of forcing Tirconnel to submit to his superior authority, and offered to assist him in the invasion of his own country, and the destruction of his own family. John was readily persuaded to an expedition so suited to his passions; summoned his vassals and auxiliaries, so as to exhaust all Tirowen, and the whole adjoining tract of Argial of their military inhabitants; and, entering Tirconnel, pitched his camp between two rivers, displaying his great force, and denouncing vengeance against all his opposers. The first alarm of this invasion determined the inhabitants of Tyrconnel to secrete their valuable effects, and drive their flocks and herds into the more inaccessible quarters of

of their country; a precaution which the hostile chieftain affected to treat with contempt and scorn. "Let them drive our prey into the midst of Leinster, or let them hide it in the South," cried O'Nial. "We shall pursue it to the remotest quarter of the island. No power shall protect our enemies; or stop the progress of the prince and sovereign of Ulster."

CALVAGH, on whom the defence of his country had devolved, found his forces utterly unequal to a contest with this arrogant invader; and as the common danger had reconciled the father and the son, he consulted the old chieftain, on the conduct he was to pursue, and the measures to be taken in this dangerous emergency. "Do not," said the father, "attempt with our inferior numbers to meet the enemy in the field. O'Nial is advancing on us, and in this new situation his camp bears a formidable aspect; but what though it be provided with stores of every kind; what though every necessary and every luxury is brought thither and exposed to sale, as in a regular market, yet the state and magnificence of the enemy may be greater than his precaution; attack his camp by night; one sudden and vigorous effort may disperse our enemies at once."

THE advice was applauded; and two gallant youths freely offered to undertake the dangerous office of entering the camp at close of day, in order to spy out the circumstances and situation of the enemy. They passed his guards mixed with his tumultuous soldiers, traversed the camp, and made all their observations, unheeded. An unusual blaze of large tapers directed them to the general's pavilion, where John O'Nial lay surrounded by his body guards, consisting of sixty Irish vassals, bearing the battle-axe, and as many mercenary Scots, armed with their broad cutting swords and targets. And so little were the youths suspected, that when supper was brought to these guards,

guards, they invited them to partake of their repast. To accept this invitation, was to form a friendship with these men not to be violated; which should prevent them from giving any intelligence, or, if discovered, would have rendered their intelligence suspected. They therefore declined the courtesy; and flying to their companions, related what they had seen and heard, and enflamed them with impatience to surprise the enemy. Even the old O'Donnell mounted his horse, and offered to lead his countrymen to the attack; they were formed by Calvagh into one compacted body, and under the conduct of their spies, burst into the camp at midnight, bearing down their opposers, and spreading terror and confusion. John O'Nial, to whose tent the enemy was pressing forward with dreadful slaughter, started at the tumult, found himself abandoned by his guards, and fled precipitately: two youths only accompanied him, sons of the revolted Hugh O'Donnell, and by swimming over rivers, and traversing unknown ways, with difficulty gained a place of safety. The whole army of Tir-owen dispersed, and left the victors to enjoy the plunder of the camp.

SUCH is the account of this local war, in which the English government had not sufficient power or authority to interpose. Sussex had been recalled for some time into England; and Sir Henry Sidney, who administered the government in his absence, first in conjunction with the archbishop of Dublin, and afterwards singly, found sufficient employment in regulating the pale. The clergy held their synods, and formed their constitutions for the complete establishment of the old rites and ceremonies. The ornaments of several of their churches which ^{Ware.} had been conveyed away, were recovered and replaced. The priory of Kilmainham was in exception to the general regulation of ecclesiastical affairs, restored to the church; and several Irish chieftains of inferior note were reconciled to a government so

zealously attached to the Romish communion, and consented to swear allegiance. Sussex, on his return, was called into Thomond, to repress the violences of Daniel O'Brien. In the contests which he had raised in support of his own pre-eminence, his brother, the baron of Ibracken, had been killed; and a vigorous interposition of the lord deputy was required to prevent his dispossessing the son of this baron, and seizing the sovereignty of Thomond. The sudden appearance of lord Sussex dispersed his rude followers, and terrified and restrained him for a time. His nephew was declared earl of Thomond, and invested with the lands annexed to this

Journal of title. He consented to hold them as an English
 E. Sussex. subject, swore allegiance to the king and queen,
 MS. Trin. together with all his freeholders, in the most solemn
 Col. Dub. form, and renounced the name of the O'Brien, to
 Ann. the utter mortification of his Irish adherents. "He
 Doneg. "accepted the title of earl," say their annalists,
 MSS. "but gave up the dignity of Dalcais, to the asto-
 "nishment and indignation of all the descendents
 "of Heber, Heremon, and Ith."

THE Scottish adventurers, in the mean time, as the decision of the war in Tirconnel left them no military employment in Ulster, entered into the service of some turbulent chieftains of the West; but, before they could raise any considerable disorders, were suddenly attacked by the earl of Clancricarde, who defeated and pursued these pestilent invaders, to the almost total destruction of their body; and Sussex, on his return from Munster, was enabled to revenge their outrages by a descent upon the Scottish isles.

BOOK IV.CHAP. I.

Accession of Elizabeth to the throne, . . . Sussex chief governor . . . State of Ireland at this period . . . Sir Henry Sidney's motions against John O' Nial, . . . Artifice of this chieftain . . . Their conference . . . O' Nial's acute defence of his conduct . . . Scheme for re-establishing the Reformation . . . Irish parliament of the second year of queen Elizabeth . . . Temper of this assembly . . . Its laws . . . How received by the people . . . Alarming spirit of the Romish party . . . New excesses of John O' Nial, . . . His insolence and caprice . . . Sussex marches against him, . . . Their accommodation, . . . O' Nial swears allegiance . . . Attends the chief governor to Dublin . . . Repairs to the court of Elizabeth, . . . His appearance and retinue . . . He is reconciled to the queen, . . . Affects an extraordinary zeal for her service . . . His conduct still suspicious . . . Sussex defends the pale against him, . . . Sir Henry Sidney chief governor . . . Garrison of Derry offensive to O' Nial, . . . His observation on the promotion of Mac-Arthy, . . . He provokes the hostilities of the English, . . . He proposes a conference with the lord deputy . . . Refuses to attend . . . His open rupture with the English government; and the occasion of it . . . His irruptions, . . . His practices in Ireland, and in foreign countries, . . . He endeavours to amuse the lord deputy, . . . Wise measures of Sidney for reducing John O' Nial, . . . Distresses of this chieftain, . . . He is disappointed and deserted . . . Resolves to submit, . . . is dissuaded . . . Applies to the Scots, . . . His tragical death . . . Sydney's regulations of Tirowen . . . Elizabeth's fears and suspicions, . . . Character of the earl of Desmond, . . . His feuds with the House of Ormond, . . . His spirited observation when wounded and made prisoner . . . Sydney suspected of partiality to this lord . . . Seizes and conveys him to Dublin, . . . Desmond and other lords attend Sidney

to the court of Elizabeth....The earl and his brother committed to the Tower....Disorders occasioned by the absence of Sydney....He returns....Convenes a parliament....Temper of the house of Commons,...Clamours and discontents....Acts of this assembly.

A. D.
1558.

WE are now arrived at a period of this history, when the circumstances of England, and the complicated dangers of the reigning princess, demanded an extraordinary attention to the interests of the crown in Ireland; when a series of commotions in this country added to the anxieties of her reign, and engaged her in a perpetual contest with faction, insurrection, and foreign invasion, till a general rebellion, at length happily subdued, served to confirm the authority of English government, broke the turbulent spirits of its enemies to obedience, and laid a fair foundation for the peaceable and rational settlement of the whole island.

Camden.

Hooker.
Ann.
MSS.

On the accession of Elizabeth, the earl of Sussex was considered as a meritorious governor, who with a small force, had retained Ireland in peace and regularity. But whatever might have been the comparative quiet of this country, yet none of its provinces were at this time free from disorders. In Munster, Mac-Arthy indeed lived peaceable and well disposed to English government; but Daniel O'Brien was incessant in his attempts against the earl of Thomond, and raised perpetual brawls in support of his pretensions to the chieftainry of North-Munster; while the earls of Desmond and Ormond lived in a state of rivalry and enmity, dangerous to the public peace. The Western province had been for some time miserably harassed by the feuds subsisting between the earl of Clanricarde, and that sept of the De Burghos, called by the Irish Mac-William Oughter. In Leinster, the survivors of the old families of Leix and O'Fally, harboured an implacable resentment for the severities they had endured. They considered themselves as ejected from

from the possessions of their ancestors, by an iniquitous scheme of fraud and treachery, supported by violence and cruelty; * and provoked, but not intimidated by the death of such numbers of their kinsmen, they watched every favourable occasion of rushing from their secret haunts, and assailing those new inhabitants to whom their lands were distributed; retiring at the appearance of danger, and waiting in their inaccessible woods and mountains, to repeat their inroads.

THE Northern province afforded a prospect still more alarming. John O'Nial had recovered from his confusion, and collected his followers who had fled so precipitately from Tirconnel. He was the acknowledged chieftain of his extensive district; he claimed the sovereignty of all Ulster; and recommended himself to the favor of his people, by affecting the most exalted ideas of the antient grandeur of his country. He had indeed professed peaceable intentions towards the crown of England, and been formally received into the protection of the lord deputy; but his assuming the chieftainry of Tirowen was in effect a defiance of the government which had created his father a peer of the realm, vested him with his lands to be held by English tenure, and decided the succession in favor of Matthew

* However we may suspect the partiality of the Irish annalists in their accounts of the treatment of those people, yet there is a passage in a letter of primate Dowdal, on the state of Ireland, written in the last year of Mary, and extant among the MSS. of Trinity College, Dublin, which however cautiously expressed, yet seems to insinuate that these families of O'Moore and O'Connor had received hard measure. He advises that they be restored to grace, and invested with some part of their old territory. "But, peradventure," saith he, some men will reckon this way to be not for the queen's honor, to make peace with that people that hath so many times digressed from their promise, and orders taken with them, *as it is said*. And whether it be so or not, I do not know it. But admit it be, men must consider the rudeness of such people, and—the occasion also of their war," &c.

Hooker.

Matthew and his issue. His turbulence and arrogance had been represented in such alarming colours to Sir Henry Sydney, who administered the government in the absence of Sussex, that, by the advice of his council, he marched northwards, to terrify this chieftain. From Dundalk, he summoned him to appear, to explain his conduct, and give assurances of his loyalty. O'Nial is represented as a man abandoned to brutal excesses, indulging in sottish ebriety, and burying himself in earth, to correct the intemperature of his body. But whatever was the rudeness of his manners, he was cautious, circumspect, and acute. The attachment of his followers, he knew, depended on the opinion of his power and dignity: and, according to their ideas, to attend Sydney in his quarters, were in effect an abject submission, and acknowledgment of his superiority. His pride and policy therefore determined him to evade this summons; and, at once, to impress his countrymen with an opinion of his consequence, and to persuade the deputy of his peaceable and amicable dispositions, he returned a message full of duty to the queen, and reverence to her governor; requesting that Sydney would honor him with a visit, and be sponsor to his child; which would afford them an opportunity of conferring upon all matters relative to the interest and honor of his government. The insolence of this overture was fully conceived; yet it was deemed expedient to comply with it; and John O'Nial was attended by the lord deputy. He entertained him with rude magnificence; but when the ceremonials were performed, and the real business of their meeting came to be discussed, John was well prepared to defend his conduct.

Ibid.

With firmness and composure he acknowledged that he had opposed the succession of Matthew's children to the sovereignty of Tirowen. But it was well known, (he added,) that this Matthew, whom Henry the eighth had incautiously created *baron of Dungannon*, was the offspring of a mean woman of Dundalk.

Dundalk the wife of a smith, and for sixteen years reputed to be his son; until earl Conn accepted him as his child, on the allegation of an adulteress, and with a shameful partiality preferred him to his legitimate issue: that if he himself were to resign his pretensions in favor of any son of such a father, yet more than one hundred persons of the name of O'Nial were ready to assert the honor of their family against the usurpation of any spurious race; That the letters patent, on which their claim was founded, were in effect vain and frivolous; for Conn, by the ancient institutions of his country, could claim no right in Tirowen, but during his own life; nor was he empowered to surrender or exchange his tenure, without consent of all the lords and inhabitants of this territory, Or if the cause should be determined by the English law, it is the known order and course of this law that no grants can be made by letters patent, until an inquisition be previously held of the lands to be conveyed; but no such inquisition had been held in Tirowen, which had not known the English law, nor ever been reduced to an English county. Were it still insisted that the inheritance should descend in succession to the rightful heir, he was rightful heir, as eldest of the legitimate sons of Conn. But his pre-eminence was derived from an origin still more glorious; from the free-election of his countrymen, who on his father's death had chosen him their leader, as the best and bravest of his family: an election ever practised in his country without any application to the crown of England. And thus invested with the sovereignty of Tirowen, he claimed only those rights and jurisdictions, which a long train of predecessors had enjoyed, which were ascertained and recorded, so as to exclude all controversy, and to render the interposition of the English government totally unnecessary.

THE spirit and address of this plea do not bespeak ^{Hooker} the sottishness and stupidity of a drunkard. Sydney consulted his counsellors; his counsellors were silenced

lenced by the reasoning, and astonished at the firmness of the Irish lord. By their advice, he replied that the points now stated were of too great consequence to receive an immediate decision; that they were first to be communicated to the queen. In the mean time he advised O'Nial to persevere in a dutiful and peaceable demeanor, and to rest assured of receiving from the throne whatever should be found right, meet, and equitable. The chieftain promised to pursue this counsel; and they separated in the utmost amity.

Rym. t.
XV. p.
33.

AND now the earl of Sussex returned to the government of Ireland, with special instructions for establishing the reformed worship. For this purpose he was commissioned to assemble a parliament, for enacting statutes similar to those already made in England. The queen's sentiments with respect to religion were well known; and lords and commons met on the eleventh day of January 1560, fully apprized of the purpose of their convention, but not universally well disposed towards the intended regulations. Such various establishments with respect to religion had been made, and reversed, in

Ware.

It appears by the catalogue of this parliament, that most of the temporal lords were those whose descendants, even to our own days, continued firmly attached to the Romish communion; but far the greater part of the prelates, were such as quietly enjoyed their sees, by conforming occasionally to different modes of religion; nor doth it appear that of the whole number, amounting to nineteen, more than two, Welsh of Meath, and Levereux of Kildare, were strenuous and determined adherents to the ancient religion. In the House of Commons,

we

find representatives summoned for ten counties only*; the rest, which made up the number of seventy six, were citizens and burgesses of those towns in which the royal authority was predominant. It is therefore little wonder, that in despite of clamor and opposition, in a session of a few weeks, the whole ecclesiastical system of queen Mary was entirely reversed, by a series of statutes conformable to those already enacted by the English legislature.

THE ecclesiastical jurisdiction was restored to the crown, and a new oath of supremacy appointed; laws against heresy repealed; the use of the Common Prayer enforced, with such alterations as had been already made in England; and all subjects obliged to attend the public service of the church. The first-fruits and twentieth parts of all church-revenues were restored to the crown; and the form of electing prelates by deans and chapters, by virtue of the writ called *Conge d'Elire*, was entirely abolished in Ireland, as attended with unnecessary delays and costs, and derogatory to the royal prerogative. It was provided that the queen and her heirs by letters patent, under the great seal of England or Ireland, or the chief governor duly authorized,

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thorized,

* These were Dublin, Meath, West-Meath, Louth, Kildare, Catherlow, Kilkenny, Waterford, Tipperary, and Wexford. The counties not represented were Cork, Kerry, Limerick, Connaught, Clare, Antrim, Ardee Down, King's county, Queen's county.

† There is a remarkable clause in this act, which, from the style, appears to have been inserted by the parliament after the first transmission of the bill, and possibly was procured by those who had opposed it. It imports, that as in most places of the realm, there cannot be found English ministers, and as the Irish language is difficult to be printed, and that few can read the Irish letters, the queen is humbly prayed, that it may be enacted, that in every church where the minister hath no knowledge of the English tongue, it may be lawful for him to officiate in Latin.—If this did not effectually provide for the edification of the people, it, at least, served to sheathe the acrimony of their prejudices against the reformed worship, by allowing it to be performed in the usual language of their devotions.

thorized, shall, by his letters patent, collate to all vacant sees; that persons so collated, shall be consecrated and invested with their rights, and that the prelates directed to consecrate them, shall pay due obedience to the royal mandate, within twenty days under the penalties of the statute of *premunire*.

Ir. Stat.

2 El. c. 5.

6. C. 7.

These ordinances were followed by an act of recognition of the queen's title to the crown of Ireland; another, extending the act of the late reign, whereby certain offences were made treason, to the present queen; and a third, restoring the priory of Saint John of Jerusalem to the crown, and revoking all dispositions made of the revenues of this house, by Messingberd the late prior, a zealous partizan of Rome, who by resorting on frivolous pretences to the Irish districts, had become suspected of raising and fomenting insurrections. Whether from a consciousness of guilt, or a dread of power, he fled; so that it was further enacted in this parliament, that he should be required by proclamation to surrender, within forty days, or else be attainted of high-treason.

C. 9.

So much had Sussex been alarmed by the opposition he had encountered in this parliament, that he dissolved it in a few weeks: and repairing to the queen, entrusted the Irish government, by her direction: to Sir William Fitz-William, a person not considerable enough to enforce his authority among a people who were only to be managed by a deputy of power and consequence; and were now particularly provoked by the violence offered to their religious prejudices. The partizans of Rome inveighed against the heretical queen and her impious ministers. The clergy who refused to conform, abandoned their cures; no reformed ministers could be found to supply their places; the churches fell to ruin; the people were left without any religious worship or instruction. Even in places of most civility, the statutes lately made were evaded or neglected

glected with impunity *. The ignorant were taught to abominate a government, which they heard consigned to all the terrors of the divine vengeance; were exhorted to stand prepared for a glorious opportunity of asserting the cause of religion; and assured of effectual support, both from the pope, whose authority had been profaned, and from the king of Spain, now particularly offended at Elizabeth.

In the mean time, the turbulent chieftain of Tir-Warowen readily listened to those flatterers who reminded him of the antient honors of his family. Intoxicated by pride and ambition, he entered the territories of O'Reily, a neighbouring Irish lord, whom he compelled to acknowledge his superiority, and to give

* We have a striking instance of the weakness of government about this time, the reluctance with which the statutes of the late parliament were received, and the indulgence which this spirited queen was obliged to shew to the prejudices of her Irish subjects, in a letter to the privy council. Rot. Can. Hib. 4 Eliz. Dorso.

"And whereas by other your letters of the second of September, ye declare, that by reason of the absence of sundrie of the chapter of Ardماغ, the dean there can not conveniently procede to th' election of Mr. Adam Lofthowse to that archbishopricke, according to the auctority lately received from us, and for supplie thereof doo devise to make unto hym in the mean season, a commission for the ordering of ecclesiastical causes, within that diocesse; moving further, that the rents growing of the possessions of that archbishopricke myght be bestowed upon hym by warrant from us, and the same to be holden without accompte from the date of our letters of his nomination. We doo very well allow your said devise, and doo gyve auctority unto youe oure said deputy, chauncellor, and everie othir our officers to whom it shall appertaigne, as well to make out undir our great seale and othirwise, as the case may move, and as many writings as shall be conveniente for the performance thereof towards hym, as alsoe to gyve due allowance of the saide revenues by way of accompte as of money by us speciallie graunted unto hym, by warrante hercof, and soe to continue until he may receive his establishment in the bushopricke by such ordinarie meanes, as in semblable cases hath bene accustomed."

Hence it should seem that the statute for abolishing the writ of *Congregatio Elic* was already forgotten, or that it could not, or was not intended to be executed strictly and generally.

Ir. Stat.
11 Eliz.
Sess. 3.
c. 1.

Rot. Can.
H. 3 Eliz.
Dom.

Cox.
Pat. 6 Eli.

give hostages as his vassal. Raging with revenge, he suddenly poured his followers into Tinconnel, surprized his old enemy Calvagh, and cast him into chains, until his rapaciousness had been fully glutted by the surrender of all his valuable property: and when released, this unhappy chieftain had the affliction to find his son detained captive, and his wife defiled, and made the concubine of his brutal conqueror. While O'Nial thus asserted his title to the sovereignty of Ulster, he, at the same time, breathed the most rancorous abhorrence and defiance of the English. A strong fort which he had erected in one of his islands, he named Foogh-ne-Gall, that is, *the abomination of Englishmen*. One of his followers, on the bare suspicion of being a spy for the government, was instantly hanged up: in the madness of insolence and caprice, he condemned another to the same fate, for degenerating so far from his native manners as to feed on English biscuit. Such excesses were provoking and alarming, especially as the inhabitants of the pale had suffered by his irruptions. Sussex on his return to Ireland, was instructed to reduce him; and for this purpose a general hosting was proclaimed. John collected his forces; Sussex marched into the North; but before their hostilities had proceeded to any considerable length, overtures were made on each side for an accommodation. The earl of Kildare represented to his kinsman O'Nial, the folly and danger of contending with the crown of England. O'Nial professed the fairest and most peaceable intentions: that he had indeed reduced his own refractory vassals; and as he had not opposed the queen's government, so he expected that no attempts should be made to control him in the just exertion of his authority. If he had attacked any of the English settlements, he had only repelled their attempts against him: these injurious neighbours envying his state, and impatient to ravage his possessions, had even formed designs against his person; so that he lived in constant danger of a treacherous assassination;

tion; and of this he offered such proof as gave his allegations at least a plausible appearance.

SUSSEX on his part, still urged him to rely upon the royal equity, and to abide a regular decision of Rot. Cam. H. 6 Eli. his claims and controversies: and on his promise of submission, it was agreed, that he should be acknowledged dynast of Tirowen, with all the rights and pre-eminences of his station, until the validity of the letters patent granted to earl Conn, and the late baron of Dungannon, should be decided by parliament; that if they were declared void, he then should be created earl of Tirowen, and hold his country by English tenure; still maintaining the antient prescriptive authority over all those who should be found to owe him vassalage: and that whatever injuries he was said to have committed or received, should be impartially examined, and satisfaction duly made. The treaty being thus concluded upon terms so equitable, and favourable to O'Nial, he attended the lord deputy to Dublin, swore allegiance, and promised to repair to the queen, and to renew his dutiful submissions at the foot of her throne.

HE was entertained by Sussex with sufficient favour: but as he delayed the performance of his promise to attend the queen, some of his partizans whispered their suspicions that the deputy had formed a scheme to seize his person, and to send him prisoner into England. Such suggestions served not only to alarm his fears, but to provoke his pride. He resolved to attend the queen, but to attend her in a manner suited to his princely dignity; and for this purpose, hastened his departure with a magnificent train of Irish followers. He appeared in Comb. A. D. 1562. London, attended by a guard of Gallowglasses, arrayed in the richest habiliments of their country, armed with the battle-axe, their heads bare, their hair flowing on their shoulders, their linen vests dyed with saffron, with long and open sleeves, and surcharged with their short military harness; a spectacle

tacle astonishing to the people, who imagined that they beheld the inhabitants of some distant quarter of the globe. The queen received his submissions with an affectation of tenderness and condescension; and listened favourably to the allegations by which he defended or palliated his conduct. He repeated his objections to the succession of Matthew's issue; urged his own just claim to the sovereignty of Tir-owen, both by the laws of England, and the old Irish institutions; offered proof of his right and superiority over the neighbouring lords; pathetically represented the injuries he had received, and the desperate attempts made to destroy him; and lamented the iniquity of his enemies which had driven him to seek his own security, by any appearance of opposition to her royal authority. The flattery of his address, which had the greater effect, as it appeared artless and unstudied, and the speciousness of his allegations so wrought upon Elizabeth, that she dismissed him with presents and assurances of favor.

In England, this transaction was considered as the humiliation of a repenting rebel; among the Irish, and especially the followers of O'Nial, it was regarded as a treaty of peace between two potentates; and the gracious reception of which John boasted on his return, they considered as an acknowledgment of his dignity. The new ally of the queen in the zeal of attachment, led his followers against her enemies, the Hebridian Scots, who were ever swarming into Ulster, and notwithstanding their defeats and losses, had possessed themselves of several towns claimed by the English. He encountered, defeated, and slew their leader; and so favourable were the reports transmitted to England of his conduct, that Sir Thomas Cusack, a member of the privy council, was appointed to execute articles of agreement with him upon the terms originally proposed; and the queen's letters patent, in confirmation of these articles, expressed her entire approbation

Rot. Can.
H. Pat.
6. Eliz.
A. D.
1563.

tion of his present services, with the most favourable construction of all his former irregularities.

THIS accommodation for a while afforded the lord deputy an opportunity of attending to the regulation of other parts of the island. But as the Northern chieftain still continued to train his followers to arms, and to encrease his forces, Sussex could not but express his apprehensions to the queen that O'Nial still meditated some designs against her government. "Be not dismayed," said Elizabeth, "tell my friends if he arise, it will turn to their advantage; there will be estates for them who want; from me he must expect no further favour." But her deputy was more alarmed; he demanded of O'Nial the reason of his warlike preparations: he was answered that they were destined against the Scots: not content with this evasion, (for such it appeared the last act of his government was to take the necessary precaution for securing the Northern borders of the pale.

His immediate successor, Arnold, an English knight, was soon found incapable of governing; and upon an attentive review of the circumstances of Ireland, which, from the jealousies and turbulence of the old natives, the factions and contests of the English race, the irregular execution of justice and the total neglect of religion, afforded a melancholy prospect, it was resolved in the English council, that Sir Henry Sydney should be entrusted with the reins of Irish government, one who had already filled this station with honor, was well acquainted with the country, and the temper of its inhabitants, and from whose administration the most sanguine hopes were conceived. To assist him in the conduct of the state, Sir William Saintleger was stationed in Munster, with the title of lord president of this province, to decide controversies, to enforce the execution of law, and to maintain the public peace. To awe the malecontents of Ulster, and particularly O'Nial, Randolph, an English officer,

officer, was stationed at Derry, with a strong and well provided garrison : and a new Irish privy council had especial instructions to concur with the lord deputy in every measure for enforcing the authority of the queen and her laws, and for propagating true religion. They found the civil and ecclesiastical state of Ireland in the most alarming disorder ; but still the great and pressing danger was from the restless turbulence of John O'Nial.

Hooker.

THE garrison of Derry was not only an obstacle to his enterprises, but mortifying to his pride : and as it manifested a suspicion of his disloyalty, he was the less concerned to disguise his real sentiments, when he found that they had been already discovered. And now, while his passions were in ferment, he heard that Mac-Arthy, the Irish lord of Desmond, had surrendered himself and his possessions, to the queen, had been graciously received, his lands restored to him, to be held by English tenure, and he himself created a lord of parliament, by the name of earl of Clancarthy. "A precious earl!" said O'Nial to some English commissioners sent to treat with him. "I keep a lacquay as noble as he. But let him enjoy his honor ; it is not worthy of O'Nial. I have indeed made peace with the queen at her desire ; but I have not forgotten the royal dignity of my ancestors. Ulster was theirs, and shall be mine. With the sword they won it ; with the sword I will maintain it."

POSSESSED with this vanity, he industriously sought to provoke the hostilities of the English. He led his forces to the walls of Derry, and without directly attacking the town, insolently braved the garrison. Randolph, their commander, more spirited than cautious, issued out against a party of his boisterous followers, and repelled them with considerable slaughter, but lost his life in the encounter. This action was not justified by any direct hostilities committed by O'Nial, and therefore

fore afforded him a fair occasion of complaint. He remonstrated with spirit, but as yet with the appearance of duty: he proposed that the lord deputy should grant him a conference at Dundalk, that he might explain his grievances, and that measures might be amicably concerted for the pacification of the North; and Sydney attended punctually at the time and place proposed. In the mean time O'Nial receives intelligence, that by an accidental explosion of gun-powder, the magazine of Derry was destroyed, and the garrison obliged to evacuate the town. The ignorant and superstitious exclaimed, that the holy Kolum-kil had at length taken vengeance of the sacrilegious profaners of his residence. They propagated their tale, well calculated for those to whom they addressed themselves, of the enormous wolf, who had issued out of the woods, snatched up a burning brand in his teeth, and cast it into the church, which the heretics had converted into an arsenal. The stupendous miracle had its full effect upon the Northern chieftain; he felt himself relieved from the terror and embarrassment of a vigilant enemy: he disdained to attend the conference with Sydney; erected his standard, the signal of defiance to the English; and breathed desperate vengeance against all those who should presume to dispute the sovereignty of the prince of Ulster.

His excursions were sudden and violent: he razed several castles on the borders of the pale; and to demonstrate his spleen to heresy, burned down the church of Armagh, where Henry Loftus, lately made archbishop of this see, presumed to maintain the heretical worship. He pierced into Fermanagh, ravaged the whole district, expelled the chieftain who had refused to acknowledge his superiority; dispatched his emissaries into Munster to prevail upon the earl of Desmond to unite with him; practised in Connaught to engage the Irish lords of this district in his cause: and in the style of sovereignty,

Sullivan.
Hist.
Cath.

Hooker.
Ir. Stat.
11 Eliz.
Sess. 3.
c. 1.

sent his ambassadors to Rome and Spain, to procure assistance against the common enemy. In the mean time, he still endeavoured to amuse the deputy, with fair professions, and overtures of a friendly conference, in which he might explain his conduct. Sydney again obeyed his invitation, and O'Nial again refused to attend. While the forces of government were at a distance, he seized the opportunity of attacking the English garrison at Dundalk; and was repulsed with disgrace and loss; when the deputy again marched against him, he retired to his inaccessible haunts.

THE fame of this dangerous insurgent spread through all the island; and his progress became every where an interesting object of attention. The friends of government were terrified, and expected every moment that other parts of Ireland would catch the flame, and that they should be oppressed by a general confederacy. But Sydney knew the most effectual method of reducing the Northern chieftain, and pursued it with vigor and address. It had been his first care, to engage the Northern Irish, who had been injured by O'Nial, firmly to the interests of the crown. He conferred with Calvagh of Tirconnel, reinstated him in full possession of his territory, and so wrought upon him by courtesy, that he acknowledged the queen his rightful mistress, and sovereign of Ireland, *in all causes, ecclesiastical and temporal*; promised due obedience to her deputy; engaged, that if it should please her majesty at any time, to change the customs of his country, and to govern it by her laws; or to confer a title of honor on him or any of his people, he would assist and co-operate with her gracious intentions: but above all, he bound himself to oppose the rebel John O'Nial with all his powers. In like manner he restored Macwire, lord of Fermanagh, to his territory, and engaged him in the service of the queen, with several of the Irish lords of Counaught.

Thus

Rot. Can.
H. 8 Eliz.

Thus did Sydney raise up a number of neighbouring enemies against John O'Nial, provoked by his injuries, and ever ready to seize the occasion of infesting him ; while he himself took his station on the Hooker. Northern borders with a considerable force.

LITTLE more was required, than thus to draw the toils round his enemy. No assistance arrived to O'Nial from foreign countries: Desmond, on whom he chiefly relied, had united with the lord deputy in defence of the pale: he was at once attacked from different quarters ; and, in several skirmishes, his forces were defeated with considerable slaughter. Every disgrace or disappointment enraged his pride ; and in the fury of vexation he treated his followers with a barbarous severity. They deserted in great numbers, leaving their companions to endure the miseries of war and famine, under a tyrannical commander. In a few months, ^{Ir. Stat.} more than three thousand five hundred of his men ^{11 Eliz.} were lost : and O'Nial hunted from one retreat to ^{Sess. 3.} another, without hopes or resources, at length resolved to cast himself at the feet of Sir Henry Sydney, and implore his mercy. ^{c. 1.}

Just as he prepared to execute this purpose, one of his favourite attendants, whom he employed as a secretary, ventured to express his fears of the event. The English government he observed, was too much provoked to shew the least mercy to his obstinate and repeated opposition. If he must cast himself upon the mercy of an enemy, the Scottish inhabitants of Ulster were more likely to receive him with favor ; a considerable party of these Scots were now encamped in Clan-huboy ; who, however they might resent his former conduct, were still enemies to the English, and might be easily persuaded to unite with him ; and thus the war might be at least protracted, until he could obtain better terms than his present desperate situation could possibly demand. O'Nial was delighted by the least prospect of resource. The son of the Scottish commander,

mander, his prisoner, he instantly set at liberty, and sending him before to explain his request, advanced towards the camp of Clan-huboy, to enter into conference with the Scottish leaders.

Hooker. **THERE** was an English officer named Piers, resident in this country, who seems to have been employed to watch the motions of the Northerns. He was informed of O'Nial's approach, and the intention of his coming: he sought an opportunity of practising with the Scots, and by artfully reviving the memory of past actions, enflamed their resentments against O'Nial, and particularly those of their commander, whose uncle had been attacked and slain by him. He encouraged Alexander Oge, as he was called, to seize the opportunity of revenge; and so far prevailed, that he was suffered to direct his conduct upon this occasion. His agents set forward to assure the chieftain of Tirowen, that the Scots were determined to espouse his quarrel, and invited him to the camp. He obeyed the summons; and, attended by his secretary, the wife of Calvagh of Tirconnel, and about fifty horsemen, was hospitably entertained in the commander's tent. As they proceeded in their carousal, the wily Scots grew captious, and passionate. The secretary was accused of spreading an injurious report, that the widow of the late Scottish general had promised to wed O'Nial. The man warmly avowed it, adding, that the queen of Scotland might be proud to match with his lord. The insult was retorted, O'Nial interposed in support of his attendant, and the brawl grew violent. On a signal given, the soldiers rushed in, butchered the wretched guests, and buried their weapons in O'Nial.

Such was the end of this chieftain, who measured his consequence by the flattery of his rude followers, and purchased the honor of keeping English government in perpetual alarm, by a life of turbulence, closed by assassination. The intelligence of his death was conveyed to the lord
deputy

deputy by Piers, who sent his head to Dublin; and received one thousand marks as his reward. Sydney immediately marched into Tirowen to compose the disorders of this district and was here attended by the Irish, with all expressions of duty and attachment, especially by those who aspired to the chieftainry. He recommended peace, order, and civility, and assured them of protection. By the queen's authority, he nominated Tirlogh Lynnhough O'Nial, successor to John. He was grandson to that O'Nial who had married into the family of Kildare, a lord of a meek and peaceable disposition, and who, by indentures, engaged to be faithful to the crown; to renounce that sovereignty which his predecessor had claimed over the neighbouring Irish lords; to suffer the sons of Matthew to enjoy their demesnes unmolested; with other stipulations necessary to the peace of the country, and the interests of the queen's government. To prevent any attempt to reverse these dispositions, the son of John O'Nial, who had formerly been surrendered an hostage, was detained in close confinement in the castle of Dublin; a precaution particularly recommended by the queen.

Rot Can.
H. 9. Eliz.
dora.

THE prosecution of this war against John O'Nial, however ably and successfully conducted, yet was not attended by any of those brilliant circumstances, by which those at a distance generally measure the services of a commander; and the final destruction of this dangerous rebel seemed to have been merely accidental, and not the effect of Sidney's vigor. The queen's letters, instead of expressing her approbation of his conduct in the North, were full of fears and suspicions of other districts, with impatience and dissatisfaction that he had not already suppressed their disorders. She dreaded the great lords of the old English race, no less than the native Irish; and, in the jealousy of her first accession to the throne, had instructed Sussex to prevail upon the earl of Kildare to attend her in England; or, if he

Cox, ex
MSS.
Lamb.

obsti-

obstinately refused, to seize his person. The loyal and zealous services of this earl seem to have quieted her apprehensions; but the conduct of his kinsman Desmond was more alarming, and had given much juster cause of offence.

Rot. Pat.
Can. H.
6. Eliz.

GERALD, the present earl of Desmond, was a nobleman, "not brought up," as the queen's letters expressed it, "where law and justice had been frequented." On the death of his father, he had resorted to the power and attachment of his followers, to defend his claim to the succession, against a brother and competitor: thus naturally falling into that course of life which was usual to an Irish chieftain, he indulged his rude pride, was oppressive and assuming, imposed the Irish exactions on all those within the sphere of his authority, encroached on the rights and possessions of his neighbours; and was particularly involved in various litigations with the earl of Ormond. He claimed lands, liberties, and revenues, possessed by this earl, and relying on his strength, attempted to seize them by force of arms. Ormond collected his followers, and repelled his outrage. Their petty war ended in the defeat of Desmond, who was wounded and made a prisoner. As the Ormondians conveyed him from the field, stretched on a bier, his supporters exclaimed, with a natural triumph, "Where is now the great lord of Desmond!" he had spirit to reply—"Where, but in his proper place? still upon the necks of the Butlers,"

Davia.

Cox, ex
MSS.
Lamb.

Rot. Pat.
ut sup.

ORMOND, more inured to civility, consented to refer the controversy to the queen; they attended her; the cause was heard; terms of accommodation proposed, and accepted by the parties: and Desmond promised still further, to support the execution of the queen's laws, and the collection of her subsidies and duties in Munster, to suppress the Brehon jurisdiction, and other Irish customs, repugnant to good order and civility. He was sent to the chief go-

VCEHQ

vernor at Dublin, to reside with him, until permitted to return into his own country. Here he readily agreed to such additional stipulations as were proposed. Particularly he promised, "as to the furtherance of religion in Munster, that having *no knowledge in learning, and being ignorant of what was to be done* in this behalf, he would aid and maintain whatever should be appointed by commissioners nominated for this purpose." On these assurances he was dismissed; and though his diligence in collecting and arming his followers had occasioned unfavourable suspicions of his designs, and that he was generally considered as a disaffected lord, yet in the rebellion of O'Nial, he readily obeyed the summons of Sir Henry Sydney, and ^{Hooker,} marched to the defence of the pale.

BUT new difficulties and controversies were soon raised, relative to the execution of his articles with Ormond: and his pride and violence again broke out in alarming extravagances. Ormond laid his grievances before the queen, accused Sydney of partiality to his rival, and so possessed her with apprehensions of this dangerous lord, that her deputy ^{Camden,} was even reprimanded for neglecting to control the insolence of Desmond. He went into Munster at her command, heard the complaints of the contending parties; and, pronouncing sentence against the earl of Desmond, ordered him to make reparation for the damages which Ormond had sustained. The earl proudly refused to submit to this award; but before he could collect his riotous followers, Sydney seized him by surprize, and conveyed him prisoner to Dublin. And as the dissatisfaction which the queen expressed at his conduct, made it necessary for him to repair to England, by her permission he presented himself at her court, attended by the son of the late baron of Dungannon, O'Connor of Sligo, and other Irish chieftains, who had sworn allegiance, together with the earl of Desmond, and Sir John his brother. The Irish lords were received

ceived and dismissed with favor: but Desmond and his brother were committed close prisoners to the Tower, and thus confirmed in that rancorous aversion to the English government, which ended only with their lives.

Hooker.

THE absence of Sydney encouraged the disordered and disaffected of various districts to break out into their usual excesses. Sir Edmund Butler, brother to the earl of Ormond, and in the absence of this earl, now resident in England, vested with the command of his powers, rose up in arms on some frivolous pretence, against certain of the Geraldines of Munster. James Fitz-Morris of Desmond drew the sword against his kinsman, the lord of Lixnaw; the O'Moores and O'Connors grew dangerous in Leinster; and even Tirlough Lynnhogh, of Tirowen, engaged one thousand of the Ulster Scots to assist him in his enterprizes against some neighbouring lords; while the earl of Clancarthy, another Irish chieftain lately reformed, relapsing into his native manners, claimed the sovereignty of Munster, and declared war against his neighbours. Sydney, on his return, was enabled only to reduce Tirlough to a pretended submission. Butler, who was summoned to attend him, found a pretence to evade his orders, and continued his outrages. In the midst of faction and discontent, secret practices, and avowed disaffection, the deputy obeyed the orders of his royal mistress, and convened a parliament.

Ibid.

THE intention of thus assembling the Irish legislature, besides providing for the necessities of government, was to restrain those ancient customs and exactions which had ever proved the source of disorder and public calamity, to extend the influence of English law, and to make the necessary provisions, both for the civil and ecclesiastical reformation of the kingdom. Public peace and civility were so intimately connected with the interests of the crown, that it was difficult to devise any measures for the support

support of these, which did not in effect tend to the real welfare of the nation. But the enemies of the reformed religion, a numerous party, those who dreaded the diminution of their power in the several districts which they had been used to oppress, those who enriched themselves and supported their petty feuds by Irish exactions, others, who envied the favor shewn to subjects of English birth, who had been neglected by administration, or were suspected of disaffection, all came to parliament with a determined resolution to oppose every measure recommended from the throne. Their intentions had been foreseen, and the utmost efforts exerted to strengthen the interest of administration; for which purpose, considerable management had been used, and even great irregularities committed in the elections and returns of the commons. Stanihurst, recorder of Dublin, and Sir Christopher Barnewel, a favourite of the old English race, were proposed by their several partizans for the office of speaker: and the election of Stanihurst, by the influence of the court, served to enrage the party in opposition. Barnewel, who was esteemed for his political knowledge, insisted that the present House of Commons was most illegally constituted, and therefore opposed the admission of any bill; and he was supported by Sir Edmund Butler, who now appeared in his place. In proof of the assertion it was alleged, that several were returned members for towns not incorporated; that several sheriffs and magistrates of corporations had returned themselves; but above all, that numbers of Englishmen had been elected and returned as burgesses for towns which they had never seen nor known, far from being residents, as the laws direct.

Four days were spent in clamorous altercation; the discontented members declaring with great violence against receiving any bill, or proceeding on any business. The speaker attended the lord deputy and council, to explain their objections to the con-

stitution of the House of Commons. The Judges were consulted; and declared, that those returned for towns not incorporated, and the magistrates who had returned themselves were incapable of sitting in parliament; but as to the members not resident in the towns for which they were returned, that they were entitled to their seats, and that the penalty of returning them should light on the respective sheriffs; a decision which still left the government that majority of friends, which so much pains had been taken to acquire; and which of consequence increased the violence of the opposite party; nor did the clamor cease, until the judges came to the Commons' House, and there avowed their opinion: when Barnewal and his party reluctantly acquiesced, and reserved themselves for a vigorous contest against the measures of those whom they regarded as an English faction.

Among the bills transmitted to this parliament, there were two, more particularly offensive to the members of the pale. One for granting the queen a new impost upon wines, which they exclaimed against as an oppressive innovation; the other, a bill for suspension of Poyning's law, and authorizing all acts to be made in the present parliament, without being previously certified and transmitted. This was opposed with still greater clamor, as an attempt against the very foundation of public security; to deliver up the realm at once to the mercy of a viceroy, who thus, with the assistance of his English burgesses, might enact such laws without control as he judged necessary for his own clandestine purposes. Hooker, burgess of Athunree, to whom we are indebted for these particulars, had lately accompanied Sir Peter Carew into Ireland, who came to recover the barony of Hidrone, in the county of Catherlow, and other lands granted to his ancestors, but abandoned by them, and possessed for some centuries by the old natives. He was a member of the English parliament,

ment, and acquainted with the order and usage of its proceedings; of consequence scandalized at the tumult and irregularity of the Irish commons. He encountered Barnewal and his party with zeal; reproached them with ingratitude both to the queen and her deputy; exposed the unreasonableness of their suspicions with respect to the suspension of Poynings's act manifestly intended for their honor and advantage, to leave them full liberty to judge for themselves, and to make immediate provision for the public necessities. As to the new duties upon wine, he declared that the queen might impose them by her own prerogative, although she had condescended to receive them from their duty and affection. This doctrine was familiar in England; but among the Irish subjects, who considered only the principles of the ancient constitution, and were neither dazzled by the splendor of a court, nor terrified by the peremptory decisions of an imperious monarch, it raised a flame so violent, that the assembly was adjourned in confusion, and Hooker guarded to his house, to prevent any outrage.

A few days, however and the interposition of temperate advisers, so far allayed the violence of contending parties, that they consented to proceed on the public business. The bill of subsidy was first received and passed, with an encomium on the queen for delivering the realm from the grievous exaction of coyne and livery; and on the deputy for the vigor and integrity of his administration. The lands of some delinquents formerly attainted were confirmed to the crown; and some statutes made, to prevent the disorders arising from idle retainers, and prohibiting the lords of the realm from fostering with the Irish. After a short prorogation, the bill for suspension of Poynings's law was enacted: but to allay the jealousies and suspicions, raised by the leaders of the opposition, it was afterwards provided by a particular statute, that no bill should ever be certified into England for the repeal or

Ir. Stat.
11 Eliz.
Sess. 3.
c. 1.

Sess. 3.
c. 1.

suspension.

suspension of this law, until it had been first agreed on, by a majority of lords and commons in the Irish parliament. The third session began with an act for the attainder of the late John O'Nial. It enumerates all his acts of outrage and rebellion, and, to expose the futility of the pretences of this family to any sovereignty in Ireland, explains the queen's title to the regal authority in this kingdom, in a long historical detail from Gurmonde, son to king Belinus. Together with the attainder of John O'Nial, it enacts, that the name of the O'Nial, with all the ceremonies of his creation, shall be extinguished and abolished, and that whoever shall assume the title, shall suffer the penalties of high-treason. It declares all Ulster to be exempt from the rule and authority of O'Nial, and vests the lands of John and his adherents for ever in the crown: with a particular provision however in favor of Tirlough Lynnonagh, and his followers, that they may be pardoned in consequence of their dutiful submission, and vested with some portions of their country to be held by English tenure. By another statute it was enacted, that no person should assume the name or authority of chieftain, or captain of his country, in any territory now made, or hereafter to be made shire-ground, but by letters patent from the crown. The chancellor was empowered to appoint commissioners for viewing all territories not reduced to English counties; and the deputy authorized, on their certificate, to divide them into shires. In the fourth session of this parliament, the act for the impost upon wines was at length received; and one more statute relative to the reformation of the common weal seems not unworthy of notice; by which the chief governor and council were empowered to grant letters patent, whereby all those of Irish or of the degenerate English race, who were disposed to surrender their lands, might be again invested with them, so as to hold them of the crown by English tenure.

Sess. 3.
c. 4.

WITH

WITH respect to religion, the most remarkable provision made was that of the fourth session, whereby the governor was authorised to present to the dignities of Munster and Connaught for ten years, in consequence of the abuses observed in these provinces, "in admitting unworthy persons to ec-^{Sess. 4.}
 "clesiastical dignities, without lawfulness of birth,"^{c. 6.}
 "learning, English habit, or English language,
 "descended of unchaste and unmarried abbots,
 "priors, deans, and chaunters, and obtaining their
 "dignities by force, simony, or other corrupt
 "means." In the catalogue of bills transmitted under the great seal of England, previous to the meeting of this parliament, we find the two first entitled, an act for the reparation of parochial
 churches, and an act for the erection of free schools.^{Rymer, T. XV. p. 676.}
 The latter was not obtained until the fifth session. But, if this circumstance be deemed no sufficient proof of a powerful opposition to every scheme for propagating the reformed religion, the former, fair and reasonable as its purpose appears, was either not received, or rejected.—The same fate attended another certified bill, entitled, an act for confirmation of certain acts passed in the realm of England.

C H A P. II.

Progress in the civil reformation of Ireland, imperfect. . . . Causes retarding it . . . Insurrections. . . . Sir Edmund Butler attacked by Carew. . . . Hostilities of James Fitz-Maurice. . . . His vanity. . . . His dependence on Rome and Spain. . . . Earl of Ormond quiets the queen's fears. . . . Assists Sydney in the pacification of Munster. . . . His brothers submit. . . . The earls of Clancarthy and Thomond terrified from their intentions to rebel. . . . Are pardoned. . . . Practices of Fitz-Maurice unsuccessful. . . . He submits to Sir John Perrot. . . . Activity and success of this provincial governor. . . . Fitz-William lord deputy. . . . Scheme of plantation in Ireland formed by Sir Thomas Smith. . . . Assassination of his son. . . . Project of Walter, earl of Essex. . . . Sir William Fitz-William jealous of this lord. . . . His ill success. . . . Secret practices of the earl of Leicester. . . . Essex detained in Ireland. . . . Return of the earl of Desmond and his brother. . . . They escape into the South. . . . Letter of the pope to encourage insurrections, intercepted. . . . Essex assists the deputy. . . . Insurgents repressed and quieted. . . . Essex returns to the pursuit of his plantations. . . . Harassed by his enemies. . . . Dies of vexation. . . . Leicester suspected of causing him to be poisoned. . . . Sir Henry Sidney returns to the government. . . . His success. . . . Drury, lord president of Munster. . . . His adventure at Tralee. . . . Sydney's project of a composition, . . . attended with general and violent discontent. . . . Complaints against his design, . . . how received by the queen. . . . Irish petitioners treated with severity. . . . Result of this contest. . . . Sydney resigns his government. . . . Elizabeth's foreign enemies. . . . Their designs on Ireland. . . . Practices of Stukely and Fitz-Maurice in Rome and Spain. . . . Bull in favor of Fitz-Maurice. . . . Zeal of Saunders and Allen. . . . Preparations against invasion. . . . Death of Stukely. . . . Descent of Fitz-Maurice and his Spaniards on Smerwick. . . . Duplicity of the earl of Desmond

*Desmond . . . Horrid barbarity of John of Desmond . . .
 Death of Fitz-Maurice . . . Expedition of Drury . . .
 Success of Malby . . . Dissimulation and hostilities of Des-
 mond . . . Pelham chief governor . . . Desmond proclaimed
 a traitor . . . His insolent message to Pelham . . . Miseries
 of his dependents . . . Severities of the royal army . . .
 Desmond's offers of submission rejected . . . Lord Grey
 chief governor . . . Fatal action at Glendalagh . . . Troops
 arrive from Spain . . . Surrender and execution of their
 garrison . . . Insurrections . . . Conspiracy against lord
 Grey . . . His government odious . . . Rigor of the
 queen's officers . . . John of Desmond killed . . . Despe-
 rate state of the earl of Desmond . . . Manner of his death.*

FROM the proceedings of the parliament, con-A. D.
 vened by Sir Henry Sidney, it appears that no ^{1570.}
 inconsiderable progress was by this time made in
 the Reformation of Ireland. By the attainder of
 John O'Nial and his associates, more than half of
 Ulster was vested in the queen, to be disposed of Davis,
 as might be deemed most expedient for the interest
 and security of her government. The power and
 extortions of the great Irish chieftains were declared
 illegal, and the inferiors directed to acknowledge
 no authority but that of the throne of England. By
 virtue of the power vested in the lord deputy, the
 district called Annally was reduced to an English
 county; and the province of Connaught divided
 into six, Clare, (containing Thomond, now ad-
 judged to belong to Connaught,) Galway, Sligo,
 Leitrim, Mayo, Roscommon: and thus was a field
 opened for the extension of the English law. But
 the defects of these proceedings are distinctly noted
 by Sir John Davis. Though Connaught was thus
 divided, yet Sydney sent no justices of assize into
 this province: but Sir Edward Fitton, stationed
 there as lord president, governed, in what the au-
 thor calls a course of discretion, partly martial, and
 partly civil. The law for abolishing Irish chief-
 tainries

tainries, in a great measure defeated its own purpose; by excepting such as should be granted by letters patent, which were found by experience to be too easily obtained; and though the lands of Ulster were declared to be forfeited to the crown, yet no immediate seizure was made, but the Irish still permitted to enjoy them without duty or acknowledgment: so that even the abbey lands and houses were possessed by the clergy, and three Northern bishoprics, those of Clogher, Derry, and Raphoe, were still granted by the pope without control.

BUT the defects observed in the execution of those laws, are principally to be imputed not to any want of vigor and penetration in the governor, but to those perpetual commotions, which shewed that Ireland had not been yet reduced to such a state, as might admit a regular establishment of civility and rational polity. Those whom the revival of the English power in Ireland had tempted into this kingdom, came with the most unfavourable prejudices against the old natives; whom they were interested to represent (both those of the Irish and the old English race,) as dangerous and disaffected. The natives were provoked at the partiality shewn to these insolent adventurers: they were treated like aliens and enemies, (as the annalist of Elizabeth repeatedly observes) and excluded with contemptuous insolence from every office of trust and honor; it is therefore natural to find them not always zealously affected to the administration of government. The less civilized, who had been accustomed to oppress their inferiors, and to support their barbarous state by tyranny and extortion, were impatient of every attempt to introduce a system of liberty and equity. The partizans of Rome abhorred the hardened and abandoned enemies to the faith: and as the pope had just now fulminated his sentence of excommunication against Elizabeth, the ignorant were readily prepossessed against an usurper, deposed by her spiritual sovereign, and consigned to perdition.

Nor

Nor doth it appear that the operation of those principles of disaffection was at all controuled by those entrusted with the inferior offices of administration in Ireland; or that their conduct was duly temperate, equitable and conciliating.

EVEN during the meeting of his parliament, Sydney was alarmed by dangerous commotions in the South. Sir Edmund Butler, by his conduct in the House of Commons, had become peculiarly obnoxious to the deputy, who haveighed against him with more warmth than prudence, affected to ascribe his conduct to disloyalty, and even denounced some menaces against him. Butler, in the pride of power and family, was little careful to conceal his resentments; and on returning to his own country, where he was encompassed by his dependents, he was so blinded by his passions, as to justify the suspicions expressed by Sydney, and to rush into a lawless defiance of his government. The claims of Sir Peter Carew extended to some of his lands; he had obtained a sentence in his favor, and attempted to take possession: Butler armed his followers, and repelled the intruder. Several of his neighbours had been harassed by his lawless violence; they complained to the deputy; commissioners were appointed to hear their cause; Butler alleged that no justice could be expected from his mortal enemy, and disdained to appear before them. This insolence was the more alarming, as intelligence had been received that the king of Spain was practising in Ireland by his agent, Juan Mendoza; to excite insurrections; and that James Fitz-Maurice, brother to the earl of Desmond, with others of the Geraldines of Munster, provoked at the imprisonment of the earl and his brother John, and affecting an extraordinary zeal for the Romish communion, had taken arms against an heretical government, seduced the earl of Clancarthy into rebellion, were busily practising with other lords, and had sent their emissaries to the king of Spain, to desire assistance.

Butler was said to have united with these inveterate enemies of his house; Sir Peter Carew, who now commanded at Leighlin, was ordered to reduce him, and engaged in this service with particular alacrity.

He stormed one of his castles and ravaged his lands. At Kilkenny he was informed that a party of the Butlers was collected at some distance from the town. They seem to have assembled implicitly at the command of their leader, as was usual in Ireland, and possibly were not apprised of his delinquency, or of his traitorous designs: for they took their station carelessly and securely, without discovering any intentions of annoying the town. Carew however determined to consider them as rebels; and leading his garrison against them, at one vigorous and unexpected onset put them to flight, and pursued them with terrible execution. Hooker describes his patron, marching with an inconsiderable body, attacking two thousand men, completely armed, and drawn up in military array, killing four hundred of their number, and this without the loss of one man; a circumstance which confutes his account, and shews that the party he attacked neither expected nor were prepared for hostilities: and the author incautiously confesses, that the citizens of Kilkenny were stricken with horror at the carnage, instead of exulting in the defeat of an enemy.

AND now James Fitz-Maurice and his riotous followers were prepared to take the field. With more of brutal violence than real force, they poured down from their haunts, and in the first place invested the city of Kilkenny. The valor and conduct of the garrison, and the zealous services of the citizens, easily repelled the efforts of these wild invaders, and obliged them to turn their fury on the adjacent villages and open country. They ravaged, spoiled, and murdered; and so widely did they spread their outrages, even through several of the most civilized districts, and so little opposition did they

they encounter, that their vain-glorious leader conceived, that the extirpation of the English power was reserved for his valor. He practised with the earl of Thomond, and prevailed on him to espouse his cause; he sent to Tirlough O'Nial, and pressed him to engage the Scottish forces in his pay, and to make a diversion on the Northern borders of the pale. At the same time he dispatched new messengers to the courts of Rome and Spain, with assurances that the enemies of Elizabeth were now risen in every part of Ireland, that their efforts had been already attended with considerable success, and that some foreign aid only was required, to root out all the adversaries of the holy see.

THE alarm of this insurrection was greater than the real danger. The earl of Ormond, who resided at the court of England, laboured to quiet the apprehensions of the queen; offered his own services to restore the tranquillity of Munster, and expressed his confidence that he should at least be able to reduce his brother to a just sense of his duty and allegiance. He was sent into Ireland for this purpose, and found the lord deputy already employed against the insurgents of the South. He easily prevailed on Sir Edmund Butler, before he had as yet proceeded to any enormous acts of rebellion, to appear before the deputy at Limerick; and although he contrived to escape from the duration to which he was committed, yet he and two other brothers of the earl were again prevailed on to resign themselves to justice. Fitz-Maurice, in the mean time, fled, with his associates, at the appearance of the deputy and his forces, and lay concealed in his secret haunts, until the enemy should retire; an artifice learned from the old natives. A progress made by Sydney through the Southern and Western provinces, served to encourage the well affected, and to terrify the enemies of government. Many of the most considerable rank in Munster, renewed their assurances
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of loyalty, and associated against the rebels. Their favorers were thus terrified, and those, who had not yet proceeded to any violent outrages, resolved to make their peace by a timely submission. The earl of Clancarthy surrendered himself to Gilbert, an English officer, appointed to command in Munster; was remitted to Sydney, and by a most humiliating submission before the council, and surrendering his son as hostage for his fidelity, obtained his pardon. The earl of Thomond also quickly repented of his engagements, to which he had been provoked by the insolence and austerity of Sir Edward Fitton's government in Connaught. Ormond, on his first complaints against Fitton, had been sent to treat with him, and to accommodate their differences; but quickly found he was to proceed by force against a rebel. The very first commencement of hostilities so terrified Thomond, that he fled to France, where he had the good fortune to recommend himself to Norris, the English ambassador, and, by his mediation with the queen, obtained a pardon.

Nor did Fitz-Maurice find his practices in Ulster attended with better success. Tirlough, the chieftain of Tirowen, had indeed been so far seduced by his pressing instances, that with the assistance of some Scottish troops whom he engaged in his service, he prepared to invade the Northern borders: but, when just on the point of executing his futile purpose, an accidental wound well nigh deprived him of his life. His danger at once raised the utmost confusion in Tirowen; factions were already formed, and contests commenced about the succession to the chieftainry. The Scots dispersed for want of pay; and Tirlough, on his recovery, finding himself abandoned, was forced to submit to the lord deputy. In Leinster, the enemies of government were quelled and terrified by the queen's forces; so that the insurgents of the South were left without assistance or support, to maintain their own precipitate rebellion. To complete their confusion,

fusion, Sir John Perrot was appointed president of Munster, an austere, spirited, and vigorous officer. He was supposed to be the natural son of Henry the eighth; and inherited a full portion of the pride, fire, and inflexibility of this monarch. He pursued the rebels with a passionate indignation; storming their forts, and chasing them from their haunts, without respite; until Fitz-Maurice, with some of his adherents, worn out with toil, famine, and terror, were compelled to cast themselves at his feet. The inferior agents in this insurrection were instantly condemned to all the rigors of martial law: their leader, who was most culpable, was reserved for the queen's disposal.

From suppressing the rebellion, Perrot proceeded vigorously to the complete pacification of Munster. The discontented were terrified by his severity; the well-affected crowded to their protector, and tendered their services for extinguishing every remaining spark of commotion. He held his courts in different quarters; heard and redressed grievances; enforced a strict execution of English law, and an exact adherence to English order and manners; so as to give an unusual appearance of peace, industry, and civility to the whole province. Such was the confidence of the queen in the abilities of this officer, that on his first appointment to the command of that part of Ireland which seemed most exposed to danger, Sir Henry Sidney was permitted to return to England, and the government entrusted to his brother, Sir William Fitz-William: and such were the hopes conceived from the suppression of the late commotions, that new projects were formed in England for the improvement of the state of Ireland, and especially for establishing a plantation of English settlers in those parts of Ulster which had been forfeited or resigned to the crown.

At a time when it became a prevailing fashion to look abroad for foreign settlements, Sir Thomas Smith, secretary to the queen, first conceived the design of providing for his natural son by a grant
of

Camd.
Hooker.

of Irish lands. This youth was commissioned to transport a colony into a peninsula called Ardes, on the eastern part of Ulster, which by its situation seemed easily defensible. Lands were assigned to his followers at the rent of one penny by the acre, to every footman one hundred and twenty, to each horseman one hundred and forty acres. The colony was transported with the fairest hopes of success; when in an instant the whole design was defeated by the assassination of young Smith, who fell by the treachery of one of the O'Nials.

Camd.
Cox, ex
MSS.
Lamb.

ANOTHER adventurer of higher character, not deterred by this accident, formed a scheme of a more powerful and extensive colony. On the report of some commotions in that part of Ulster, called Clan-hu-boy, Walter Devereux, lately created earl of Essex, tendered his services for reducing this district, and planting it with English settlers. It was readily agreed that he should be invested with a moiety of the country to be thus planted; that one thousand two hundred forces should be maintained and fortifications raised, at the joint expence of the queen and earl; that every horseman who should voluntarily engage in this expedition for two years, should receive a grant of four hundred acres of land; every footman, a grant of two hundred, at a rent of two pence by the acre; that the earl should be commander in chief for seven years, and in concurrence with the crown, continue the plantation until a thousand English inhabitants should be settled on each moiety. Essex prepared for this expedition with such sanguine hopes, that he mortgaged his estate to the queen for ten thousand pounds. The lords Dacre and Rich, Sir Henry Knowles and his four brothers, three sons of lord Norris, and other Englishmen of distinction consented to attend him.

FITZ-WILLIAM, who naturally foresaw that the presence of a nobleman invested with an independent authority; and attended with a considerable force,

force, must necessarily lessen his consequence and dignity, remonstrated warmly against the impropriety of this commission granted to the earl; and the unseasonable attempt to form a new settlement in Ulster, which he represented to be in a state of violent commotion. But the enemies of Essex, who had contrived to practise on his enterprising temper, and encouraged him to this undertaking were solicitous to remove him from the English court. Of these the favorite Leicester was chief; and he easily prevailed on the queen to quiet the jealousy of Fitz-William, by consenting that Essex should receive his commission from the lord deputy of Ireland, so as to act apparently under his authority. But this commission was affectedly delayed; A. D. so that when the earl landed with his troop, the 1573 Northern natives, notwithstanding their fair promises of assistance and support, quickly learned to despise his numbers; and received secret intimations that they might oppose him with impunity. Brian Mac-Phelim, a considerable chieftain of the sept of O'Nial, Hugh, son to Matthew earl of Dungannon, and Tirlough, the Irish lord of Tirowen, united against him, and harassed his forces by perpetual skirmishes after the manner of their country. It now appeared that his embarkation had been too long delayed, the soldiers furnished by the queen ill-chosen and ineffective, their provisions tardily supplied, and in quality unsound. His noble associates quickly repented of an adventure thus secretly counteracted, and on various pretences withdrew themselves one by one, into their native country. Essex pathetically represented to the queen the distresses of his situation; and was on the point of being recalled, when his enemies found new pretences for detaining him in Ireland.

THE administration of Fitz-William had been disturbed by various petty commotions. In Leinster, besides the unceasing turbulence of the O'Moores, the resentment of a chieftain of the old

old sept of Mac-Murchad had produced considerable disorders. He had taken arms to revenge some wrongs committed by his neighbours, and defeated a body of the men of Wexford, who had issued out to oppose him. In Connaught, the sons of the earl of Clanricarde, provoked at the austerity of Sir Edward Fitton, rose in rebellion*, and although their father freely offered his services to reduce them to obedience, he proved unsuccessful or insincere in his attempts. And what was still more alarming, the province of Munster, where Perrot laboured with the utmost diligence to establish an effectual reformation, was again threatened with dangerous commotions. The earl of Desmond and his brother, who had been so long detained prisoners in England, were at length remitted to the chief governor at Dublin, there to reside as state prisoners. The mayor of the city, to whose custody they were committed, indulged them with such liberty, that, under pretence of hunting, they contrived to escape into their own country, where they were received with joy by their dependents, breathing vengeance for the severities they had endured. To encrease the general alarm, by the vigilance of Fitz-William, letters were intercepted from Rome, addressed to the Irish natives, wherein the pope earnestly exhorted them to persevere in their opposition to the queen's government, with assurance of being supplied with money and troops, and promise of absolution to themselves and their posterity to the third generation.

Ware.
Ann.

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* So entirely degenerate were these spurious children of the earl, and their clans, that their aversion from the English exceeded that of the most inveterate of the old natives. In the rage of their insurrection they set fire to the town of Athunree, where some forces of the state had usually been stationed. One of them was reminded to spare the church, as his mother lay interred in it. "Were she there alive," said the savage, "I should burn her, church and all, rather than suffer any English churl ever to possess the place." Cox.

IN this time of danger and apprehension, the queen was easily persuaded by the enemies of Essex, Camden, to command that he should stay in Ireland, and assist her lord deputy against the enemies of government. Brian Mac-Murchad was opposed in the field, and still more effectually wrought upon by kindness; so that he consented to lay down his arms; and persevered in his attachment to the crown with an unusual zeal and sincerity. To Sir Peter Carew, who had reclaimed him, he was so tenderly and affectionately devoted, that on the death of his beloved friend and patron, the good-natured Irishman pined with grief and died. The sons of Clanricarde also were reduced and pardoned; and the queen was so persuaded of the justness of their complaints against Sir Edward Fitton, that she soon after removed him from the presidency of Connaught. Desmond, the most dangerous insurgent who had collected his associates and prepared for rebellion, was vigorously pursued by the earls of Essex and Kildare, and obliged for the present to relinquish his design, and to renew his engagements of submission and allegiance.

Essex now returned to the prosecution of his schemes in Ulster*: where the turbulence and Camden. perfidiousness of the Irish, and the insidious practices

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* The Irish manuscript annals of this reign, mention a very dishonorable transaction of this lord, on his return to Ulster. It is here given in a literal translation from the Irish, with which the author was favored by Mr. O'Connor. Anno 1574. "A solemn peace and concord was made between the earl of Essex and Felim O'Nial. However, at a feast wherein the earl entertained that chieftain, and at the end of their good cheer, O'Nial with his wife were seized; their friends who attended were put to the sword before their faces. Felim, together with his wife and brother, were conveyed to Dublin, where they were cut up in quarters. This execution gave universal discontent and horror."

In like manner, these annals assure us, that a few years after, the Irish chieftains of the King's and Queen's county were invited by the English to a treaty of accommodation. But when they arrived at the place

tides of Leicester and his partizans, involved him in a series of perplexities. When he had been wearied into a resignation of his authority, he was commanded to resume it: when he had resumed it, and for a while proceeded with success, he was again ordered to resign it. When he had at length obtained permission to return to England, he was again remanded into Ireland, with the insignificant title of earl marshal of this country. Here vexation and disappointment soon put an end to his life, which involved Leicester in the suspicion of having caused this unhappy nobleman to be poisoned; a suspicion which he himself increased by hastily marrying the countess of Essex.

In the mean time the repeated instances of Sir William Fitz-William, to be relieved from the burden of his Irish government, so wrought upon the queen, that she determined once again to entrust the management of this disordered country to the abilities and experience of Sir Henry Sydney. Sensible of the complicated difficulties attending the execution of this office, and disgusted at the coldness with which his former services had been received, he would gladly have declined the charge: but to conquer his reluctance, he was invested with the most honorable and extensive powers, and assured of an annual remittance of twenty thousand pounds, in aid of the ordinary revenues of Ireland. On his landing, to re-assume the administration of this realm, a plague, which raged through the English pale, prevented him from repairing to the seat of government, and advices received of various disorders

A. D.
1576.

place of conference, they were instantly surrounded by troops, and all butchered on the spot.—Such relations would be more suspicious, if these annals in general expressed great virulence against the English and their government. But they do not appear to differ essentially from the printed histories, except in the minuteness with which they record the local transactions and adventures of the Irish: and sometime they expressly condemn their countrymen, for their rebellions against their prince.

orders in the North, and particularly of the turbulence which the Scottish settlers had discovered, and their hostile attempts against the English garrison of Carrickfergus, determined him to march into the province of Ulster. His presence was sufficient to suppress all commotion: and in a circuit which he continued through the several provinces, with a force consisting only of six hundred men, without drawing a sword, or encountering the least danger, he suppressed all those petty brawls which report usually magnified into desperate rebellions; administered justice, and executed the laws, even with severity. The suspected lords of the old English race, and several of the Irish chieftains attended him with the most zealous expressions of loyalty and attachment. The delinquent sons of the earl of Clanricarde were the only persons who presumed to break out into new extravagances, on his departure from their province; but on his second sudden expedition into Connaught, they fled to their woods, their castles were taken, and their father, who was suspected of favouring their rebellion, was committed to close custody.

Among other regulations now devised by Sydney, he provided for the good government of the South, by prevailing on the queen to appoint Sir William Drury lord president of Munster, in the room of Perrot, who had returned to England. Drury had already served with reputation and honor as governor of Berwick; and in this new station he seemed determined to tread in the steps of his predecessor. He held his courts regularly, administered justice impartially, enforced a strict observance of English manners, and a dutiful submission to English law. The county palatine of Kerry, was now the only part of Munster, in which malefactors found any refuge. Edward the third had granted the royalties of this county to the earl of Desmond: but Drury, without regard to antient patents, determined to extend his jurisdiction into Kerry. Desmond pleaded the

the antient privilege and exemption of his lands; but finding the lord president obstinate in his purpose, reserved himself for an appeal to the chief governor, assuring Drury in the mean time, that he should be received in Kerry with all honor and submission, and inviting him to reside at his house in Tralee. The invitation was accepted; when on the arrival of Drury with a train of a hundred and twenty men in arms, a body of seven hundred followers of Desmond, tall, active, and vigorous, appeared at some distance, and advanced upon him. The president, unacquainted with the customs of this district, and filled with the suspicions and jealous prejudices of an English stranger, at once concluded that he had been betrayed, and was to be surrounded, and cut to pieces. He encouraged his followers, to prevent this formidable enemy, and to charge them without waiting to be attacked. The first onset at once dispersed the Desmonians; who, without attempting the least hostility, fled with the utmost astonishment and precipitation: and the countess of Desmond was left to explain this extraordinary incident. She assured the president that these men neither intended nor expected hostilities; that their flight was not the effect of cowardice, but amazement and confusion at being treated as enemies, when they had assembled peaceably to do him honor; that they had been collected by her lord merely to entertain him with hunting, in which the men of Kerry were remarkably expert and vigorous. Drury affected to be satisfied with this explanation; and proceeded to execute the laws within the liberties of the earl of Desmond, without controul or opposition.

Hooker.

And now when the affairs of Munster seemed happily composed; when the De Burghos of Connaught, who had repeated their insurrection, were reduced and broken, the government of this province prudently administered by a new lord president, Sir Nicholas Malby; and the whole kingdom seemed

seemed to assume an appearance of tranquillity, new discontent arose, spread through the body of Irish subjects, and cast a shade of popular odium on the administration of Sir Henry Sydney.

THE merit of a chief governor of Ireland was, A. D. in the English cabinet, too often measured by the 1577, brilliant advantages he could procure to the crown, without the strictest attention to the circumstances of those whom he was sent to govern; which naturally tempted him to overlook the necessities and distresses of the Irish subjects, and even their just rights, in his solicitude for the interest and service of the crown. The enormous disproportion between the revenue of Ireland, and the charge of maintaining the English power in this realm, was a constant subject of complaint in England; and Sydney justly conceived he could perform no more acceptable service, than that of alleviating the burden. It had been usual, for many years, to impose upon the English districts, a certain proportion of provisions for the royal garrisons, and for the maintenance of the governor's household. The principal inhabitants, of each district attended the deputy and council, settled the rates to be paid, and consented to a certain assessment or contribution to defray the charge. Sydney conceived the design of converting this occasional subsidy into a regular and permanent revenue, by substituting a composition in place of the assessment, and exacting it from all the subjects. He communicated his design to the court of England, and was encouraged to pursue it. He first began by proclamation to dissolve those liberties which had ever claimed an exemption from the ancient charge of purveyance, or at least to curtail the privileges of those whose legality could not be impeached; and then proceeded to a general imposition of the new tax, by the mere authority of council, and by virtue of the queen's prerogative.

A GENERAL and violent discontent was the immediate consequence of this bold act of government. Not only those whose liberties had been suppressed but

Sydney's
Papers,
vol. I.
p. 84.

Hooker,

but those who had cheerfully contributed to the assessment in its former mode not only the secretly disaffected, but those whose loyalty was above suspicion, were provoked at a tax so unconstitutional and oppressive, and united in a spirited remonstrance to the lord deputy and council. Their numbers and their condition secured them a respectful audience. They complained of the arbitrary dissolution of those ancient liberties and privileges, which had been granted by royal patent, and enjoyed for ages; of a new, illegal, and oppressive tax, imposed, they knew not by what authority, and exacted with a severity utterly intolerable; that formerly indeed, they had of their own free will and benevolence concurred in an equitable and moderate assessment, which they now found converted into a peremptory imposition, amounting to no less than ten or twelve pounds upon every plow-land, a burden intolerable to the subject; and, what was still more alarming, a burden imposed contrary to all law and reason. They claimed the natural rights of freemen, and the privileges of the English constitution, and acknowledged no power of taxation but in the grand council of the realm: nor could they so shamefully betray the rights of English subjects, as to submit to any tax, to which they had not consented by their representatives, and freely granted in parliament to the public service.

SYNDEY and his counsellors, after a deliberation of some days, replied, that as to the liberties dissolved, these were such as on the most attentive examination of the public records, appeared to be invalid or expired: as to the burden of the tax, her majesty was contented that it should not exceed the rate of five marks on every plow-land: and as to its authority, that it was imposed by the queen's prerogative, which must not be impeached: and was further warranted by the constant usage of occasional assessments made by the chief governor and council, with the concurrence of the nobility in the

the several counties, a usage which had uniformly obtained even from the reign of Henry the fourth. So obvious was the distinction between the former assessment, and the present mode of composition; so novel and so repugnant to every principle of law and justice did this doctrine of raising money by prerogative, appear to the subjects of Ireland, and so confident were the remonstrants in the validity of their plea, that they humbly besought the deputy's permission to repair to the court of Elizabeth, there to lay their cause before her highness. Sydney, provoked and alarmed at this determined opposition to his favorite scheme, coldly replied, that he could give no sanction to this measure, nor yet restrain them from appealing to the queen.

OPPOSITION in a cause so popular, gained daily accessions of strength, and was animated by the public applause: the principal lords through all parts of the realm refused obedience to the edict of council, and enjoined their tenants and dependents by no means to pay the assessment. The inhabitants of the pale assembled, deliberated, and at length resolved to entrust their cause to three agents, eminent for their knowledge of the laws, and zealous opposers of the present tax. They were sent into England with letters to the queen and to the English council, signed by the lords Baltinglass, Delvin, Hoath, Trimbleston, Bellew, Nangle, some of the families of Plunket and Nugent, with other distinguished inhabitants of the counties of Meath and Dublin, in the names of all the subjects of the English pale. They complained of the grievance they sustained by the tax, and that they had been denied redress by the lord deputy; they urged the illegality and oppressive burden of the tax, and the various abuses committed in the exaction of it. The agents appeared at the English court in firm confidence of success, while Sydney had taken especial care to possess both the queen and her council, with ^{Sydney's} the most unfavourable opinion both of their cause ^{Let.} and

and characters. The matter was referred to the council, and there heard with prejudice and partiality. Four Irish lords now attendant on the court, **Hooker.** Kildare, Ormond, Gormanstown, and Dunsany, were summoned to attend, and their opinion demanded on the allegations of their countrymen. They declared that an assessment had been always practised for maintenance of the queen's garrisons, and the household of her deputy; and cautiously avoiding the point of prerogative, confined themselves to the necessities and condition of their countrymen, humbly pleaded the grievousness of the present imposition, and prayed that it might be moderated. Thus far the council were disposed to satisfy the Irish subjects, and thus far the queen herself listened to their complaints with affected tenderness and compassion. She is said to have exclaimed, "Ah!

Camden. "how I fear lest it be objected to us, as it was to Tiberius by Bato, concerning the Dalmatian com-
 " motions: *You, you it is that are in fault, who*
 " *have committed your flocks not to shepherds but to*
 " *wolves.*"

Hooker. But this imperious princess gave ready ear to those ministers who recommended the maintenance of her prerogative. The Irish agents, who had rashly relied on the support of law and justice, were instantly committed to the Fleet, as contumacious opposers of the royal authority. The queen's letters to Sir Henry Sydney and the Irish council, reprimanded them for not having immediately committed and punished those who had presumed to deny the legality of the present composition; commanding that all they who had subscribed the application to the throne should be summoned before them, and if they still persevered in impugning her prerogative, that they should be committed to prison until they acknowledged their offence. And while she recommended moderation in the new assessment and a strict attention to prevent all abuses in the exaction of it, she at the same time commanded that those of her servants and coun-
 sellors,

scholars, learned in the law, who had been present at the original complaint, and neglected to maintain her royal prerogative, should be removed from their offices.

SUCH appearance of severity proved insufficient to operate upon the lords and gentlemen of the pale. They appeared before the council, and there, peremptorily adhering to their former declarations, and denying the legality of any tax not regularly established in parliament, were committed to close durance in the castle of Dublin. Their agents in England on a second examination appeared equally determined; and therefore were removed from the Fleet to the Tower; which implied that their offence was considered as of a treasonable nature. The whole body of Irish subjects was alarmed and confounded at this rigour, which they imputed to the practices of Sidney, and whom of consequence they loaded with the most virulent invectives. Their clamors were so violent, as even to startle the arbitrary queen and her obsequious counsellors. They dreaded the consequence of general discontent in a country which harboured so many secret enemies to government, and therefore closed their imperious denunciations of vengeance by accepting an equivocal submission from the Irish agents, who acknowledged that the manner of their application had been undutiful, but disavowed all intention of impeaching the queen's just prerogative. They gave security to render themselves before the lord deputy, and were remitted to Ireland. Here they repeated their submission, and were dismissed: some of the confined lords and gentlemen regained their liberty by a like submission. Nor were the more spirited and obstinate broken by any further severity. Sidney was instructed to bring this violent and dangerous dispute to some speedy accommodation: * a composition for purveyance was by the

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* This appears from a letter written by the English council to the lords justices of Ireland, dated April 30, 1584.

deputy and council, with the concurrence of the lords and gentlemen of the pale, settled for seven years; and the male-contents were discharged. All the rage of indignation and resentment fell on the lord deputy. He was accused of wantonly alienating the affections of the Irish subjects; of ruling without temper, policy, or discretion; of lavishing the revenue; of discouraging and despising the well-affected; of carelessly or corruptly pardoning the most notorious rebels and offenders. Nor was Sydney insensible to the sting of popular odium. He grew weary of a government, in which every act of administration was strictly scrutinized, and severely interpreted; and made pressing instances to the queen, that she should be pleased to recal him.

THE conclusion of this dispute, which so little corresponded with that imperious violence first expressed by the queen is only to be explained by her apprehensions of foreign enemies, and the intelligence now received from the continent. The mutual jealousies and suspicions which had long subsisted between Spain and England, had almost broken out into declared enmity, by the support which Elizabeth granted to the Netherlands. And the situation of Ireland pointed out an obvious method of retaliation to king Philip, that of fomenting and assisting the insurrections of this country. At Rome, the heretical queen of England was an object of horror and detestation: and every desperate fugitive, who could suggest any scheme of annoying her, was received with favor and protection. There was an adventurer of English birth, named Thomas Stukeley, whose vanity and falsehood had been detected in the reign of Edward the sixth, and who had taken shelter in Ireland from his misfortunes. Here his enterprising genius raised him to some degree of note; and he even contrived to insinuate himself into the affections of Sir Henry Sydney; but disappointed in his expectations of being made

Camden.

Sydney's
Lett. vol.
I. p. 38.

gouge-

seneschal of Wexford, he reviled the queen, and fled to the continent, with a determined aversion to English government. He arrived at Rome, the centre of conspiracy against Elizabeth, where he was caressed by the Irish ecclesiastics, and introduced to the pope as a distinguished friend to the catholic cause. To Pius the fifth he magnified the strength and spirit of the enemies of Elizabeth in Ireland; and engaged, with the assistance of three thousand Italians, to drive the English out of this kingdom. And although his project was not immediately adopted, yet by his address and insinuation he soon wrought himself into the confidence of Gregory the thirteenth, the succeeding pope; to whom he artfully hinted the facility with which his son, Jacomo Boncompagno, might be established king of Ireland. The ambitious old man received the overture with delight; practised with Spain, amused Philip with hopes of burning the English fleet by the address and valour of Stukeley, and of expelling Elizabeth from all her dominions, by first beginning with the invasion of Ireland. A body of eight hundred Italians was raised for this service, which Philip engaged to pay, and Stukeley their leader embarked on his adventure, laden with honors by the pope, who assumed the authority of creating him marquis of Leinster, earl of Wexford and Carlow, viscount Murrough, and baron of Ross.

ANOTHER Irish fugitive at the same time threatened his country with another invasion. James Fitz-Maurice, who had been reduced by Sir John Perrot, and for some time detained in prison, at length obtained his pardon from the queen, together with the brothers of the earl of Ormond. The Butlers repayed this lenity by a loyal attachment to her government. Fitz-Maurice retired to the continent with an unconquerable hatred of the queen, and an impatience for new disorders. He repeatedly applied to the king of France, urging him to an invasion of Ireland, and representing the ease with which

which so considerable an acquisition might be wrested from Elizabeth. After two years of expectation and disappointment, the king dismissed him with contempt, advising him to make his peace with Elizabeth, and promising to recommend him to the mercy of his good sister. He proceeded to Spain; and was there received with more attention. Philip sent him to the pope; Gregory was readily prevailed on by Saunders the famous English ecclesiastic, and Allen, an Irish priest, to favor his design of an invasion. A bull was drawn up, addressed to the prelates, princes, nobles, and people of Ireland, exhorting them to assist Fitz-Maurice for the recovery of their liberty, and the defence of the holy church; and promising to all his adherents the same spiritual indulgences granted to those who fought against the Turks; a banner was solemnly consecrated and delivered to this champion of the faith: and as Saunders and Allen both consented to attend Fitz-Maurice into Ireland, the former was invested with the dignity of legate. The conspirators thus strengthened by the authority and benediction of the holy father, and furnished with some money, were sent to king Philip, who was to supply the forces necessary for their enterprize.

ELIZABETH was soon informed of these designs, and took the necessary measures to defeat them. Forces were prepared for the Irish service; her ships were stationed to guard the Irish coasts; and Sydney was at the same time instructed to quiet all internal disorders, and to quell every remains of commotion in Ireland. But with respect to Stukeley, the more formidable adventurer, her fears were soon allayed. He had embarked at Civita Vecchia, and arrived at Portugal, at the mouth of the Tagus; at the time when Don Sebastian was invited into Africa by Mahomet, son of Abdalla, king of Fez. On explaining his design, the king pressed him first to join in the African expedition, promising

Wilkins
Conc. t.
IV. p.
296.
O'Sullivan.
t. II. l. iv.
c. 17.

Camden.

Hopker.

Camden.

missing, on their return, to attend him into Ireland. The king of Spain, who had by this time discovered the pope's intentions in favor of his son, readily consented. Stukeley with his Italians attended the standard of Portugal, and thus had the honor of falling with Sebastian. The death of this prince diverted the Spaniard from his design against Elizabeth, to the conquest of Portugal; and as the storm which threatened her dominions appeared to A. D. be dissipated, her navy was recalled from the coast ^{1578.} of Ireland, and Sir Henry Sydney permitted to resign the government of this kingdom, to Sir William Drury, late lord president of Munster.

But Philip the second, though he relinquished the scheme of making a conquest of the queen's dominions, yet was still disposed to encourage a spirit of rebellion among her subjects. Fitz-Maurice ^{Hooker} therefore, on his return to Spain, although he could not procure a considerable force, yet was not totally unnoticed. He obtained a troop of about fourscore Spaniards; some fugitives of England and Ireland united with him; and in full expectation of being joined by great numbers of his countrymen, he embarked his little force in three ships, and landed in Kerry, at a bay called Smerwick. The two ecclesiastics, Saunders and Allen, hallowed the place, and assured the invaders of success and victory in the glorious cause of the church. Yet the very commencement of their enterprize was attended by an inauspicious incident. A ship of war which lay in the harbour of Kinsale, on the first intelligence of their arrival, doubled the point of land, and cut away their transports; so as to leave them destitute of any relief by sea, or any power of retreat. Their arrival was not unexpected; and on their first summons, Sir John and James, brothers to the earl of Desmond, joined them with their followers. The earl himself, though equally disaffected, yet for the present acted with caution and reserve; he even pretended to assemble his forces for the service of government.

vernment, and summoned the earl of Clancarthy to his assistance. The alacrity with which this summons was obeyed, was by no means agreeable to Desmond. He delayed; he objected to every scheme of operation; Clancarthy was disgusted with his insincerity, and retired.

THE invaders, however, were little satisfied with this duplicity of Desmond. They had expected an open and explicit declaration in their favor: and Fitz-Maurice could not suppress his vexation at a disappointment so alarming. He even vented his suspicions of Sir John Desmond, as a man who would easily make his submissions to the English government, and purchase his own safety by betraying his associates. John, conscious of the sincerity of his present attachment, and stung with this reproach, retired in vexation, and conceived a horrid scheme of effacing these suspicions, by an act which should effectually exclude him from all hopes of pardon.

HENRY DAVELS, a gentleman of Devon, who had for some time served in Ireland, was distinguished by the rectitude and benevolence of his conduct, and held in an extraordinary degree of affection and esteem both by the English and the Irish race. The family of Desmond had frequently experienced his good offices; Sir John, particularly, had been relieved in his necessity, and repeatedly redeemed from prison by his bounty. His acknowledgments were warm and tender. Father and son were the appellations with which they accosted each other. This man was commissioned by the new lord deputy, while his forces were collecting, to repair to the earl of Desmond, and his brethren, whose disloyalty had not yet been known, to assure them of his speedy arrival, and to instruct them to hold their forces in readiness to join him. He found Desmond already prepared; he ventured to approach the fort which the invaders were now raising; he represented their present weakness to the earl, urged him to approve his loyalty by an
immediate

immediate attack, but without effect: Davels was so ignorant, or affected such ignorance of the part which Sir John Desmond had already taken, that he pressed him to prevail upon his brother, either to undertake this service, or to lend him some troops with which he himself would attack the fort; but finding all his instances ineffectual, he prepared to return to the lord deputy.

HE took his journey with some Englishmen who had accompanied him, through the town of Tralee, secretly pursued by Sir John Desmond, with a band of followers chosen for a desperate and bloody purpose. The house in which he lay was surrounded, and the porter bribed to leave the gate unbarred. In the dead of night, the ruffians entered his chamber with weapons drawn. Davels started at the tumult, and spying Sir John, exclaimed, "What, my son, what is this brawl!" The hardened miscreant answered by a violent assault, and drenched his sword in the blood of his benefactor, while his barbarous crew rushed with the fury of fiends from chamber to chamber, and butchered his company. One attendant only escaped their cruelty, an Irish lacquey, who cast himself upon his master Davels, to defend him from the vile assassin; who flew to the invaders, boasting his exploit, and glorying in the carnage which had now sealed his attachment to their cause. An action so disgraceful to humanity, cannot be detailed without pain and reluctance: yet that wretched bigot O'Sullivan mentions it with * complacency and approbation; and Hooker assures us, that Saunders, in a horrid strain of blasphemy, called it a *sweet sacrifice*

to

* ——— Johanni vero se fidem non habiturum, priusquam facinus aliquod dignum committat, quo hæreticorum iram atque indignationem provocet, sibi que illum fidum fore intelligat. Illico Johannes Traham oppidum invadens, Daversium justitiæ ministrum, Arthurum Carterem mononiarum castramentorem, Anglos hæreticos, Miachum judicem, Raymondum Nigrum, cum aliis occidit, ceterosque Anglos ex oppido fugat, quo facto laudatus, &c. Hist. Cath. O'Sullivan, t. II. l. iv. p. 95.

to God. Fitz-Maurice, less corrupted by an odious superstition, condemned the mean treachery; and the earl of Desmond inveighed with the utmost virulence against the perfidy, ingratitude, and cruelty of his brother.

Hooker.

THE foreigners, in the mean time, expected some more essential services. They grew discontented at the coldness of the earl of Desmond, and were impatient to receive that vast concourse of the disaffected Irish, which they were assured would immediately attend their standard. Fitz-Maurice was equally disappointed; but, dissembling his chagrin, persuaded them to maintain their station, with firm assurance of being powerfully supported, while he himself made a journey to a favorite seat of Irish devotion, called the Holy Cross of Tipperary, in order to perform a vow which he had made in Spain. Under this pretence he concealed his design of enticing the disaffected in the provinces of Connaught and Ulster to unite with him. Traversing the county of Limerick, he came to the country of the De Burghos, and there seized some carriage-horses necessary for the conveyance of his train. Sir William De Burgho, head of the neighbouring sept, reclaimed them. Fitz-Maurice artfully endeavoured, not only to pacify his resentment, but to seduce him into rebellion. De Burgho coldly replied, that he had already experienced the melancholy consequence of resisting the English government, and was determined not to repeat his error. A violent altercation arose, and was followed by a skirmish, in which Fitz-Maurice encountering one of the sons of Sir William, each fell by the hands of his antagonist: and thus the ambitious schemes of this aspiring and turbulent Geraldine ended with his life, in a petty brawl, unworthy of a soldier; of such consequence was his death esteemed, that the queen deigned to write a letter of acknowledgment to Sir William De Burgho, for his important service, and soon after created him a peer;

And now Sir William Drury had collected such ^{A. D. 1591} a force as the weakness and poverty of the state could raise, and marched against the southern enemy. Four hundred foot and two hundred horse composed his whole band; which were joined by two hundred horse, and some infantry raised by the earl of Kildare and other nobles of the pale. Bagnal, Wingfield, Malby, and other English officers, attended him, who had been trained in the Irish wars, and were perfectly acquainted with the nature of the service. From Kilmallock, he summoned the lords and gentlemen of Munster to attend his standard with their followers. They readily obeyed; and even the earl of Desmond came to the camp with a well-appointed company of horse and foot. But such was the duplicity of this lord, and such were the suspicions immediately conceived from his discourse and conduct, that he was committed to custody; a severity which so wrought upon his fears, that he made the most solemn professions and promises of loyalty and fidelity, and thus obtaining his liberty, he retired from the camp, and refused to attend the deputy: and although he still continued to profess an attachment to the crown, and though his countess had delivered up her son to the deputy, as a surety for his good conduct, yet he was still considered as a favorer of the foreign invaders and their cause.

The Spaniards, who had landed with a firm confidence that the whole southern province would have taken arms at once against the queen, now found their disappointment aggravated by the death of Fitz-Maurice. They could not escape by sea, and were to be encountered by the united forces of the state. In this distress, they had no measure to pursue but that of submitting to the guidance of Sir John Desmond, who now took the place of Fitz-Maurice. They abandoned their station at Smerwick; and, in order to be ready for action, were distributed into different quarters among the dis-

Wilkin's
Counc.

affected of Kerry, particularly in the palatinate of the earl of Desmond, whose followers and tenants were secretly instructed to entertain them. So that the war was now to be carried on in the manner usual in Ireland; and the deputy's forces were to pursue the rebels into their private haunts; a service of fatigue and hazard. Nine weeks of constant motion were spent to no purpose, in endeavoring to come up with Sir John Desmond, who hovered about the royal army, and kept them in continual alarm, without ever suffering them to attack him. A party of two hundred men, who had attempted to surprize one of his detachments, were surrounded on their return, and cut to pieces: and even this petty advantage was sufficient to animate the rebels, and to possess them with the most extravagant expectations. Their numbers encreased daily; the ecclesiastics were busily employed in preaching the glorious cause of the church; the pope, by a new bull, vested Sir John Desmond with the plenitude of his authority, and renewed his indulgences to all those who should assist him; while new instances were made to Spain for additional succors. Drury, on the other hand, found his losses seasonably supplied by a reinforcement of six hundred men from England; while Sir John Perrot was stationed on the coast with six ships of war, to cut off all assistance or relief from the rebels. But as the bodily constitution of the lord deputy proved unequal to his fatigue, he retired to Wexford in a languishing state, and committed the army to the conduct of Sir Nicholas Malby.

Hooker.

THE army (for so it is called) consisted of nine hundred foot and an hundred and fifty horse. Of these three hundred infantry and fifty horse were left in garrison at Kilmallock: and on intelligence received that Sir John Desmond lay a few miles distant from Limerick, with a considerable body, Malby marched to attack him with the residue of his forces. In a plain adjoining to an old abbey called Monaster Neva, he found the rebels in array,

to

to the number of about two thousand, and prepared to give him battle. The papal standard was displayed; and Allen, the Irish jesuit, went busily through the ranks, distributing his benedictions, and assuring them of victory. Their dispositions were made by direction of the Spanish officers, with an address and regularity unusual to the Irish, and their attack was so vigorous and so obstinately maintained, that the fortune of the day seemed a long time doubtful. The valor of the English however at length prevailed: the rebels were routed and pursued with considerable slaughter; and among the slain was found the body of Allen, who, not contented with exhortation, had drawn the sword in the cause of Rome.

MALBY encamped on the place of action, where he received a dissembling letter from the earl of Desmond, congratulating his victory, and advising him to withdraw from his present situation. But as several papers had been found in the baggage of the unfortunate Allen, which demonstrated this lord's attachment to the rebels, Malby only answered by a severe expostulation, reminding him of his solemn and repeated engagements to the queen, and exhorting him to prevent the ruin of his noble family, by returning to his allegiance: and finding his representations fruitless, after some days he removed to Rathkeal a town belonging to the earl, as if determined to terrify or to force him to obedience. Desmond affected to consider this motion as an unprovoked and unwarrantable attempt against his territory, which he was fully justified in repelling. An attempt to surprize the English camp, only served to demonstrate his hostile intentions, and to provoke their commander. Malby, having once again endeavored to reclaim him by gentle expostulation, prepared to reduce his castles, when the intelligence of Sir William Drury's death put an end to his authority. He distributed his forces into several garrisons, and retired to his own government of Connaught.

WHILE

WHILE the enemy exulted in this event, and were employed in harassing the English garrisons, the council at Dublin chose a new chief governor, Sir William Pelham, who instantly proceeded to make all the provisions in his power for a vigorous renewal of the war in Munster; while the earl of Kildare was commissioned to defend the northern borders. On his arrival in the South, where he was honorably received, and powerfully re-inforced by the well affected, the first step deemed necessary to be taken, was that of endeavouring to reclaim a nobleman of such consequence and power as the earl of Desmond. He was repeatedly summoned to attend the governor; he repeatedly sent professions of his loyalty, and excused his absence, even at the time when this infatuated lord was active in support of the rebels; and exposed his vast possessions, his life, and honor, to a wanton and desperate hazard, at the persuasion of Saunders, an intemperate and malignant bigot. Although his guilt was manifest, yet an authority, delegated by the council, was to be exerted with caution. Pelham therefore, before he would denounce the utmost terrors of the law against this great delinquent, commissioned the earl of Ormond to acquaint him with the final requisitions of government. He was ordered to deliver up doctor Saunders and the other strangers harboured in his country; to surrender one of his castles, either Askeaton or Carrick-a-foyle, to the queen as a pledge of his good behaviour; to submit to the judgment of her majesty and council of England, or to the chief governor and Irish council, and in the mean time to give his assistance in the prosecution of the present war against his brethren and all other traitors. His answer consisted only of complaints of injuries sustained, with some menaces of involving the whole kingdom in confusion, if redress should be denied. He was therefore by proclamation declared a traitor, if within twenty days he should not submit.

IN the mean time the territories of this refractory earl were purposedly made the seat of war, and exposed to all the ravages of a necessitous army. Desmond and his brethren, in revenge, appeared before the town of Youghal, which they entered by the connivance of the magistrate, plundered without mercy, and had the good fortune to cut off a detachment sent by the earl of Ormond to recover the town. So intoxicated was Desmond with this petty success, that he sent a letter to Sir William Pelham, signifying that he and his brethren had entered into the defence of the catholic faith, under the protection of the pope and king of Spain, and gravely inviting him to unite with them in a cause so just and honorable. At the same time he addressed letters of the like import to the lords and gentlemen of Leinster who were suspected of disaffection; and with more success; for lord Baltinglass and some others, both of the English and Irish race, were persuaded to declare for the cause of Rome, although they were as yet too weak, or too well opposed, to raise any considerable disorders in the pale. The practices of Saunders, to encrease the number of his partizans, were less successful. His letters to the De Burghos of Connaught were disclosed to Sir Nicholas Malby, and served to discover the intentions and prospects of the enemy.

DESMOND, who had engaged in this rebellion inconsiderately, without any well-concerted scheme of operations, or provisions made for any effectual opposition to the forces of government, now saw his whole extent of territory ravaged and depopulated without mercy: and like an abject out-law, was compelled to take shelter in his woods, whence he could but harass some inconsiderable parties of the enemy, by his nightly irruptions. His miserable vassals were abandoned to daily slaughter, or to the still more horrid calamity of famine. Several of them being informed that admiral Winter lay off their coast, and had commission to execute martial law, fled to him, and extorted protections by the

the piteous representation of their calamities: "Which the soldiers," saith Hooker with a shocking indifference, "did very much mislike, the same, "to be somewhat prejudicial to her majesty's service, because they persuaded themselves, that if "they had followed the course which they began, "they should either have taken or slain them all." Such was the temper of this man, who could express regret at a little mercy shewn to wretches who scarcely knew any duty but that of implicit obedience to their lords! when at the time that their lives were spared, they were frequently bereft of all means of support; and when their cattle had been seized, he assures us, that they were seen following the army with their wives and children, and begging that all might be rescued from their miseries by the sword, rather than thus condemned to waste by famine.

THE particular incidents of this war are too inconsiderable to be detailed, as it consisted for the most part in the gradual reduction of Desmond's forts, where some small garrisons had been stationed. In his castle of Carrick-a-foyle he had placed about fifty Irish, and nineteen Spaniards, commanded by an Italian officer called Julio. They were attacked, and presumed to make a brave resistance, declaring that they held it for the king of Spain. It was taken by storm, in which most of the garrison were put to the sword; a few that had escaped the carnage were hanged up; and Julio, when he had been spared for two days, was consigned to the same ignominious fate. The garrisons of other forts were terrified by this severity, and abandoned their posts. Desmond, his countess, and Saunders his companion, lived in constant distress and terror, and were frequently on the point of falling into the hands of their enemies. Sir James, one of the earl's brothers, was surprized, taken prisoner, and executed by martial law. In this their state of wretchedness, that ruffian, John of Desmond, and the

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the earl his brother, fell to mutual strife, and condemned each other as the cause of those calamities to which they were exposed. The countess fell upon her knees before the lord deputy, and with tears petitioned (but in vain) that her husband should be received to mercy. His force as a rebel was now too inconsiderable; and his possessions to be forfeited were of too princely an extent, for the queen's ministers to admit of pardon or submission. His brother and the legate Saunders determined to abandon him, and to seek refuge with lord Baltinglass in Leinster. But they were cut off even from this last resource; for a party of the queen's troops encountered them in the night, and seized some of their attendants, while the leaders consulted their safety by a precipitate flight. Desmond himself had the consummate mortification of finding his last ^{Camden} desperate overture rejected, that of surrendering to admiral Winter, on condition of being conveyed a prisoner into England that he might supplicate the royal mercy at the foot of the throne.

BUT in this abject and miserable state, these insurgents seemed to have gained some gleam of hope. The lord justice was suddenly recalled from the southern war, by the arrival of Arthur, lord Grey, his successor, who waited impatiently at Dublin to receive the sword of government. Pelham, on the other hand, who wished to have his full share of merit in quieting the disorders of the kingdom, leaving the command of the Munster forces, now consisting of about three thousand, to Bourchiér, son of the earl of Bath, visited the province of Connaught, made the necessary dispositions in this district, and by easy journies advanced towards the capital. Grey, in the mean time, who was instructed, among other particulars, to shorten the Irish wars by an effectual prosecution, grew restless, and impatient to signalize his zeal. Before he had yet been sworn into office, intelligence was received

ceived that one of the Fitz-Geralds had united with lord Baltinglass; that, together with a chieftain of the O'Birnes, they had taken their station in the vallies of Glendalough; that their numbers were daily encreasing, and their excursions pestilent and audacious. The inexperience of this new commander, and his total ignorance of the service in which he was to engage, served to encrease his indignation at this ignoble enemy, who had presumed to bid defiance to the queen's government, at a distance of but twenty-five miles from Dublin. The officers who attended to congratulate his arrival, were instantly and peremptorily ordered to collect their companies, and drive these rebels from their retreat. Those veterans, who had been trained in the Irish wars, and knew the situation of the enemy, and the manner of their hostilities, received the order with an honorable submission, and though sensible of their imminent danger, if not their inevitable ruin marched boldly to the attack. They were to enter a steep marshy valley, perplexed with rocks, and winding irregularly through hills thickly wooded. As they advanced, they found themselves more and more encumbered; and either sunk into the yielding soil, so as to be utterly incapable of action, or were obliged to clamber over rocks which disordered their march. In the midst of confusion and distress, a sudden volley from the woods was poured in upon them, without any appearance of an enemy; and repeated with terrible execution. Soldiers and officers fell, without any fair opportunity of signalizing their valor. Audley, Moore, Cosby, and Sir Peter Carew, all distinguished officers, were slain in this rash adventure. George Carew, the younger brother, was restrained from following his companions by his uncle Wingfield master of the ordnance, and thus reserved for nobler service. Lord Grey, who had waited the event upon a neighbouring eminence, returned, with

with the remains of his forces, to the seat of government, covered with confusion and dishonor.

THIS mortification was immediately succeeded by alarming intelligence from the South. The king of Spain had not yet resigned the hopes of revenging himself on Elizabeth, by an invasion of Ireland. Forces were prepared for this purpose; and the machinations of Spain were so well known, that Winter had been stationed on the coast of Kerry to guard against a descent. But as this admiral had been obliged to return home by the want of provisions and unfavourable weather, seven hundred Spaniards and Italians contrived to make good their landing at Smerwick. They brought arms and ammunition for five thousand men, and a large sum of money, which they were directed to deliver to the earl of Desmond, his brother John, and doctor Saunders; they proceeded to finish the fort which their countrymen had begun, and which they called the Golden Fort, and dispatched their emissaries to Spain, to notify their arrival, and to hasten the embarkation of those succours which they had been promised, and which were daily expected.

THE earl of Ormond now commanded in Munster, and, on the first alarm of this descent, marched boldly against the invaders; who, terrified, at his approach, abandoned their post at once, and under the guidance of their Irish friends, sought shelter in some neighbouring woods. This motion produced a skirmish, in which some of the foreigners were taken prisoners, and discovered their numbers and their intentions. But the fugitives soon learned that the forces of Ormond were not so great as they at first imagined; which encouraged their commander, with about three hundred of his men, to return to their original station. Ormond was not provided with necessaries for a siege: yet he still hovered round them, till a successful sally forced him to retreat to Rathkeal, and there to

expect the arrival of the new lord deputy. Grey soon appeared at the head of eight hundred men, whom he had led from Dublin; and, what was of equal moment, Sir William Winter returned with his fleet, to support the operations of the deputy. The fort was thus invested by land and sea; but, before any assault was commenced, the garrison was summoned to surrender; to declare who they were; for what purpose sent; and why they had presumed to fortify themselves in the queen's dominions. Their answer was bold and peremptory; that they were sent by the pope and the king of Spain, to extirpate heresy, and to reduce the land to the obedience of king Philip, who was by the holy father vested with the sovereignty of Ireland.

This answer was seconded by a vigorous sally, in which the foreigners, however, were repulsed. And the very next night Winter landed the artillery from his ships; and, with the utmost vigor and dispatch, cutting through a bank which lay between the shore and the fort, drew up the cannon, and completed his battery before the dawn of day; while lord Grey made the like provisions by land. The fort was now again summoned, with some offers of mercy, if the garrison could be persuaded to surrender. But these foreigners, who had not yet discovered their danger, and the situation of the besiegers, still boldly answered, that they would keep the post they had gained, and endeavor to extend their acquisitions. The batteries now began to play furiously upon the fort: no succours arrived from Spain; none of the disaffected Irish appeared in the field. The commander of the fort, an Italian, called San Josepo, was terrified; and, in a few days, contrary to the opinion of his officers, determined to capitulate. But Grey now replied, with haughtiness and austerity, that he served against traitors, and disdained to grant any terms to them or to their abettors. Several attempts were made

to gain any conditions, not totally desperate: Grey was inexorable, and the garrison, in their distress and terror, fatally surrendered at discretion.

THAT mercy, for which they sued, was rigidly denied to them. Wingfield was commissioned to disarm them, and when this service was performed, an English company was sent into the fort. The Irish rebels found they were reserved for execution by martial law. The Italian general and some officers were made prisoners of war; but the garrison was butchered in cold blood; not is it without pain that we find a service so horrid and detestable committed to Sir Walter Raleigh. The usual and obvious excuses were made for this severity, that the number was too formidable to be made prisoners; that the Irish were approaching in a body of one thousand five hundred men; that no shipping was prepared to carry away the foreigners: and that the soldiers threatened to mutiny, if not allowed to supply their necessities by the spoil of the fort. Grey was said to have shed tears at the determination of this court-martial; and Elizabeth expressed the utmost concern and displeasure at this barbarous execution. But such pretences and such professions could not efface the odiousness of this action. On the continent it was received with horror: and, to raise still greater detestation of the queen and her Irish deputy, the partizans of Rome were industrious to represent this execution, as an inhuman and perfidious violation of a solemn treaty, whereby Grey had engaged by oath, to permit the foreigners to depart unmolested, and with all the honors of war.*

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* The incomparable Spenser, who was secretary to lord Grey, and as he assures us, near the scene of action, takes pains to refute this calumny. He positively denies that any promises or hopes were given, or any conditions granted. He informs us that the deputy told them plainly that they were to expect no advantage from the laws of war, or the law of nations, as they could show no regular commission either from the king of Spain, or the pope, but by their own confession were but pri-

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Hooker.

THE first fame of this invasion, however unfortunate in its event, served to encourage the disaffected in other parts of Ireland. In Connaught the flame of rebellion seemed to re-kindle among the turbulent septs of De Burgho. In Leinster, Baltinglass, and his associates, grew every day more dangerous and pestilent. It became necessary for lord Grey to leave the affairs of Munster to inferior officers. The earl of Ormond was appointed president. Zouch, a brave English officer, was chosen governor of Kerry; and Walter Raleigh, whose first military services were performed in Ireland, and who had distinguished himself in the southern war, was appointed to command in Cork. The appearance of the lord deputy was in several places sufficient to quiet all commotion; and the boldest rebels of Leinster retired at his approach. But, on his return to the capital, he was alarmed with reports of a secret conspiracy formed even in the very seat of government. Sullivan, with his usual ostentation, assures us, that the principal inhabitants of Leinster, provoked at the suppression of their ancient worship, the severities exercised against their clergy, the contamination of their temples by heretical ceremonies, their own daily sufferings and dreadful apprehensions, resolved to oppose the torrent of impiety and persecution; that the earl of Kildare engaged to seize the castle of Dublin, and that others both of the English and Irish race were joined in the confederacy; and that it was discovered by the wife of one of the associates, whose jealousy prompted her to intercept his letters. Camden relates, that diverse noble families of Leinster, most of them of English blood, partly out of affection to the Romish religion, and partly out of hatred against the new-come English, (who many times, contrary to the intent of the law, excluded them as mere

vate adventurers, who had presumed to assist traitors and rebels, and with whom it would be dishonorable for the queen to treat. SPENCE'S *View of the State of Ireland*.

mere Irish from offices of government and magistracy) had conspired together, to seize on the lord deputy and his household, to take the castle of Dublin by surprize, where all the provisions for war were deposited; and to put the English, in Ireland, every man, to the sword. This latter circumstance must appear utterly incredible and extravagant, upon the slightest attention to the circumstances of the nation at this time. Nor doth Hooker, a cotemporary writer, resident and employed in Ireland; and by no means partial to the old English race, take notice of this formidable conspiracy, except by slightly mentioning a design formed against the person of the lord deputy. Some reports however seem to have prevailed, and some alarming informations were conveyed to lord Grey. Several were seized, and some were executed, of whom the most distinguished was Nugent, baron of the exchequer, a man of singular good life and reputation. Whatsoever were the evidences of his guilt, he persevered in asserting his own innocence, although he had assurance of pardon if he would confess his guilt, and disclose the plot: a circumstance which brought the utmost discredit on the administration of lord Grey.

Among those suspected of this conspiracy, were the earl of Kildare, and his son-in-law, lord Delvin; who were committed to the custody of Wingfield, master of the ordnance. Lord Henry, the earl's son, alarmed at the apprehension of his father, and taught that Grey intended nothing less than the extirpation of every great family of the old English race, fled for shelter to his Irish fosterers in O'Fally; who declared that they would protect him against the malice of his enemies, and were on the point of rising in arms. After many repeated efforts to prevail upon them to give him up, they at length consented to resign him to the earl of Ormond. With his father and the baron of Delvin he was sent into England, where, on a fair and candid examination, all were acquitted of every charge of
sus-

suspicion of disloyalty. The precipitation with which Nugent and the other culprits had been executed, now became doubly odious. Grey was represented as a man of blood, who had not only dishonored his nation and sovereign among foreigners, but alienated the hearts of all the Irish subjects by repeated barbarities. Detested in his government, and severely censured in England, he grew weary of his present charge, and earnestly petitioned to be recalled.

THE province of Munster, in the mean time, was governed with rigor and severity by the officers stationed in the several districts, who were reinforced by troops sent at different times from England. The distinguished families of the old English race, who still adhered to the popish religion, were naturally suspected of favouring the rebels. They declined furnishing their quotas to the queen's service; and yet were seen in arms; for self-defence, as they pretended. And it was the interest of the English officers to represent their conduct in the severest light. If once declared rebels, their lands and property lay at the mercy of their pursuers. Orders were dispatched from Dublin to seize the castle of lord Barry, whose practices had been most obnoxious; but this lord, in the rage of indignation, set fire to his house, rather than abandon it to the rapine of the queen's soldiers. Roche, another suspected lord, was surprised and seized by Raleigh, and had the miserable satisfaction of approving his innocence and being dismissed. But the principal object of the English commanders, was to seize the earl of Desmond, who hid himself in his retreats, and issued out unexpectedly, whenever a fair opportunity presented itself of annoying his enemies. They frequently surprised his parties; but, by his own activity, and the fidelity of his companions, he escaped the danger. His brother, John of Desmond, was not so fortunate. Zouch had intelligence of his motions; and, when he made an excursion to reconcile some of his confederates,

rates, who were dissatisfied with each other, he intercepted and surrounded his party, and gave the miscreant an opportunity of falling honorably by the sword.

THIS event deprived Desmond of all remaining hope: when Grey, in the confidence of having extinguished the rebellion, suddenly reduced the southern troops to an inconsiderable number. The baron of Lixnaw, who had been long suspected of ^{A. D.} favoring the insurgents, and was irritated by the ^{1582.} oppressions he had endured from the queen's troops, seized the occasion, at once appeared in arms, and drove out the garrisons who occupied his castles. But this sudden flame was as suddenly allayed. One or two unsuccessful encounters so terrified the baron, and reduced him to such distress, that he sued to the earl of Ormond for pardon and protection: which were granted the more readily, as he pleaded that he had been driven to extremities by the intolerable oppressions he had sustained; and the queen was made to believe that such allegations were frequently well founded. Repeated complaints were made of the inhuman rigor practised by Grey and his officers. The queen was assured that he tyrannized with such barbarity, that little was left in Ireland for her majesty to reign over, but ashes and carcasses. And such was the effect of these representations, that a pardon was offered to those rebels who would accept it; lord Grey was recalled; and Loftus archbishop of Dublin, and Sir Henry Wallop, treasurer at war, appointed lords justices.

SUCH a government did not appear well calculated for war. But by this time the business of war was well nigh concluded. Saunders, the great incendiary of the South, worn out with the severities of want and toil, died in a miserable retreat, solitary and unnoticed; so that his remains were not interred, until they had been mangled by beasts. The earl of Ormond, who was sent into Munster with a new body of forces, pierced into the woods where the rebels still continued to assemble, drove them

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them from their haunts, and pursued them with indefatigable vigor. The unhappy Desmond (who was not included in the late pardon, although he still entreated to be received to mercy) was hunted from one wretched retreat to another, frequently in danger of being taken, disguised among the wretchedest of his followers, lurking with them in woods and bogs, and depending on their benevolence for the support of nature. One captain of his Gallow-glasses, who still adhered to him, lost his life endeavouring to support his master. In the utmost extremity of distress, two horsemen and a few kerns ventured to seize some cattle for his subsistence. The owner exclaimed at this violence, and a few soldiers of an English garrison pursued the prey. They came to the opening of a valley, in which was a small grove, and here determined to repose; when spying a light at some distance in a miserable hut, their leader Kelly of Moriorta, a man of Irish race, ordered one of his party to advance cautiously, and discover how many were here posted; (for it was immediately concluded they had fallen upon a party of the rebels.) He was informed that six persons only were concealed in this retreat. Kelly and his party rushed forward; but, on entering the hut, found that the rebels had fled at his approach, except one man of venerable aspect, stretched languidly before a fire. The leader assailed and wounded him. He exclaimed, "Spare me, for I am the earl of Desmond." Kelly smote off his head, and brought it to the earl of Ormond, by whom it was conveyed to the queen, and impaled on London-bridge.

Thus was a family extinguished, which had flourished for four centuries in rude splendor and magnificence, and had frequently proved too powerful to be governed. With the possessions of independent princes and a large army of followers, they were naturally tempted to assume the port of sovereignty, unrestrained by a government, which frequently depended

depended on them for support. The pride of this last earl, inflamed by a few bigoted ecclesiastics, was severely punished by those distresses in which he was involved by his senseless insurrection. Without ever being able to make any brave and distinguished effort in the cause which he espoused, his misfortunes began with his rebellion; and his wretched death closed the whole scene of infatuation. His enormous domains were now forfeited to the crown, to be appropriated as the queen should deem most expedient for the reformation of her Irish dominions. Two ecclesiastics, his agents in Spain, had the ^{Carte} mortification to arrive with arms and ammunition ^{Intr. to} to support his rebellion, just at the time when ^{Life of} the earl had been killed, and his followers sued for ^{Ormond,} pardon. They received the fatal intelligence, and retired precipitately.

C H A P. III.

English ministry and parliament not well disposed to the civil Reformation of Ireland.... Sir John Perrot lord deputy.... Principal object of his administration, a general extension and execution of the English law.... His success in Connaught.... His progress to the South interrupted.... His successful practices with the Irish of Ulster.... His extensive schemes for the improvement of Ireland,.... rejected in England,.... Parliament at Dublin, how composed.... Irish chieftains admitted,.... appear in the English garb.... Tirlough Lynnegh expresses his uneasiness at his new habiliments.... Scheme for suspension of Poyning's law violently opposed by the commons.... Temper of this house.... Speedy prorogation.... New appearances of danger in the North.... Defeat of the Scots.... Perrot regulates the Northern province.... Answer of a Scottish chieftain to the insult of an Englishman.... Perrot's secret enemies.... His indiscretion.... Base machinations to irritate the queen against him.... She mortifies Perrot.... He solicits to be recalled.... Continues to administer his government with fidelity and success.... Reformation of Connaught.... Earl of Desmond and his associates attainted in parliament.... Scheme of the plantation of Munster.... Defects and abuses of this scheme.... New disorders in Connaught; Bingham, the lord president, severe.... His conduct disapproved by Perrot.... Repeated insurrections of the De Burghos.... Perrot marches into the West, contrary to his instructions.... Bingham already victorious.... Elizabeth impatient of the burden of Ireland.... Recalls some of her Irish forces to the Netherlands.... Some of the less reformed Irish engaged in this service, and in that of Spain.... They learn the art of war.... Execution of English law rendered odious in Ulster.... Practices of popish ecclesiastics in this province....

Character

Character of Hugh O'Nial. . . . He insinuates himself into the favor of Perrot. . . . Recommends himself effectually to Elizabeth. . . . Is invested with the earldom of Tirowen and the estate annexed to it. . . . Trains his followers to arms. . . . Makes provision for war. . . . The chieftain of Tirconnel turbulent. . . . His son seized and confined by a stratagem. . . . Perrot resigns his government to Sir William Fitz-William. . . . Temper of this new governor. . . . Part of the Spanish Armada driven by storm on the northern coasts of Ireland. . . . Effects of this incident. . . . Fitz-William marches into the North in search of Spanish treasure. . . . Instances of his provoking tyranny. . . . Earl of Tirowen suspected. . . . He flies to England. . . . His submission to the English council. . . . Accused by Hugh Ne-Gavelocke. . . . The accusation slighted. . . . Son of the chieftain of Tirconnel and other prisoners escape from the castle of Dublin. . . . Their extreme distress. . . . Young O'Donnel conveyed to Ulster. . . . Disaffection of the northern chieftains enflamed by the cruelty of Fitz-William. . . . Answer of Mac-Guire to his intimation of sending a sheriff into Fermanagh. . . . Practices and preparations for insurrection in the northern province. . . . Revenge of the earl of Tirowen on Hugh Ne-Gavelocke. . . . Artifice of this earl. . . . Composition established in every province of Ireland. . . . Interval of apparent tranquillity. . . . Foundation of the University of Dublin.

THE death of the earl of Desmond, and the suppression of his adherents, left Ireland free from any considerable disorder, and seemed to afford a fair occasion for effectually regulating and modelling this country upon the principles of justice and liberal policy. But besides the aversion of Elizabeth from every scheme which must be attended, for the present, with considerable expence some of her counsellors appear to have conceived an odious jealousy, which reconciled them to the distractions and miseries of Ireland. "Should we exert ourselves," said they, "in reducing this country to order and civility

Letters of
Sir Her.
Sydney
and Sir
John
Perrot.

" civility, it must soon acquire power, consequence, and riches. The inhabitants will be thus alienated from England; they will cast themselves into the arms of some foreign power, or perhaps erect themselves into an independent and separate state. Let us rather connive at their disorders; for a weak and disordered people never can attempt to detach themselves from the crown of England." We find Sir Henry Sidney and Sir John Perrot, who perfectly understood the affairs of Ireland, and the dispositions of its inhabitants, both, expressing the utmost indignation at this horrid policy, which yet had found its way into the English parliament.

Hooker. At the present juncture, however, the interests of the crown required that an active, prudent, and vigorous administration should be established in Ireland. The southern province seemed to be totally depopulated, and, except within the cities, exhibited an hideous scene of famine and desolation. The vast tract of lands forfeited by Desmond and his followers, was to be parcelled out to new tenants. A commission of survey was to be appointed; a parliament to be assembled for passing acts of attainder; schemes to be devised for lessening the annual expence of Ireland, a provoking burden to the queen, and encreasing the revenue. The government of this kingdom was therefore committed to Sir John Perrot, a man revered by all its inhabitants, for his justice and impartiality, one who had long studied its interests, and whose policy was liberal and benevolent. He assumed the reins of government at a time when war and insurrection seemed to be extinguished, when the last remaining rebel of any note, lord Baltinglass, had retired in despair to Spain. The first act of his administration was the publishing a general amnesty, and assurance of pardon and protection to all who should return to their allegiance. The son of the earl of Desmond, who had been delivered up to the queen's deputy,

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govern-
ment of
Sir J.
Perrot.
London,
1626.

deputy, he sent into England, there to be educated in the principles of loyalty and civility, so as to render him worthy of any favours the royal mercy might bestow.

THE capital object of this chief governor was to enforce and extend the execution of English law, and gradually to reduce the old natives, and the degenerate of the English race, within the salutary bounds of an equitable polity; and for this purpose it was necessary for him to visit the several provinces, so as to terrify the disaffected, and to give weight to his intended regulations. He began with that of Connaught; where a numerous rabble of the De Burghos, in despite of the discretion and loyalty of the earl of Clanricarde, had been ever ready for insurrection; but were now effectually intimidated by the presence of Sir John Perrot. They attended him with professions of loyalty; the Irish chieftains were equally submissive: he recommended to them all a course of civility and dutiful submission, declared his intentions of rendering the division of their province into counties, effectual, by appointing sheriffs and other officers for each, so as to give them all the advantages of an exact and regular execution of the laws. They professed their dutiful acquiescence, and acceptance of these officers. Sheriffs were appointed for six counties, Clare, Galway, Sligo, Mayo, Roscommon, Leitrim; and the presidency of the whole province was assigned to Sir Richard Bingham.

HENCE the lord deputy proceeded to the southern province; but when he had arrived at Limerick, intelligence was received that one thousand Scottish troops had lately made a descent upon the northern coast, and joined with their countrymen already settled in Ulster, who seemed to meditate some innovation. He returned to Dublin, where he received the submissions and engagements of some Leinster chieftains suspected of disaffection, and marched into the North. Here the appearance of a governor, renowned for valor and justice, and

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Government
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Perrot.

Perrot's
Life.

and noted especially for a humane and equitable attention to the ancient natives, had a sudden and powerful effect. The new-arrived Scots fled to their ships, and left their brethren of Ulster, after some ineffectual hostilities, to make their peace with government. The Irish chieftains crowded to Perrot with the most zealous professions of loyalty and submission. They renewed their oaths of allegiance; several surrendered their lands, and received them from the queen by English tenures. Perrot, who knew how to improve these favourable dispositions, proceeded yet further; and prevailed on them to consent to an assessment or composition, whereby eleven hundred troops might be maintained in their province, without charge to the queen; a concession utterly astonishing to those of the council who attended on the lord deputy, and who had exclaimed against the attempt as impracticable and dangerous. Some of the most considerable Irish chieftains who were engaged in contests about property, such as had hitherto been usually decided by arms, were now persuaded to implead each other in the queen's courts, and to abide by the determination of law. And such a just sense did they express of the benefit of English law, and such a desire of receiving it, that Perrot projected a division of the unreformed parts of Ulster into seven new counties, Ardmagh, Monaghan, Tirowen, Colerain, Donnegal, Fermanagh, Cavan, for each of which he appointed sheriffs, commissioners of the peace, coroners, and other necessary officers.

Ibid.

THIS success of his negociations with the most powerful Irish chieftains, and the general tranquillity of the kingdom, encouraged Perrot to form the most extensive schemes for the reformation and improvement of Ireland. He wrote to the privy council of England, explained the progress he had already made, and the importance of those concessions he had obtained; he proposed that fifty thousand pounds, at which he rates the annual expence of the crown in maintaining the dominion of Ireland,

land, should be granted to him for three years; engaging on this condition to maintain a body of two thousand foot, and four hundred horse; to fortify seven towns, each of the extent of one mile, to build as many bridges, and to erect the like number of forts in proper situations, so as to encompass and strengthen the whole realm with royal garrisons, connected by an easy and secure communication. This he calls *the cheapest purchase which England has made this many-a-day*. But though the proposition was repeated to the English parliament, yet neither the crown nor the legislature could be persuaded to adopt this measure. England, at the present period was full of fears and jealousies, alarmed by intestine dangers, and the apprehensions of foreign invasion. The queen was impatient at the expences of her Irish government, and instead of consenting to augment them, expected that Ireland should supply forces for the Low Countries. Perrot could obtain no more than a small sum in aid of the Ulster composition, and a body of six hundred men, which he represented as absolutely necessary to be incorporated with the Ulster forces. Thus, with many commendations of his good services, was the deputy left to the ordinary course of administration.

He proceeded to convene an Irish parliament, which assembled at Dublin, in April of the year 1585. None of the Northern counties as yet elected their knights, except Cavan, which was represented by two loyal Irishmen of the family of O'Reilly: with these we may reckon as reformed Irish, Sir Hugh Mac-Gennis, member for the county of Down, Sir Tirlaugh O'Brien, for Clare, Shane Mac-Brien, for Antrim, and the two members for Longford, of the family of O'Ferghal. Among the spiritual lords sat the bishops of Clogher and Raphoe, two sees which Davis assures us never were bestowed by queen Elizabeth: and among the temporal barons, Tirlaugh, the old chieftain of Trowen, was now admitted. Such slight circumstances

Rot. Con.
H. A. 27
Eliz.

Perrot's
Life.

stances serve to mark the gradual progress of reformation. It was the pride of Sir John Perrot, that he could prevail on the old Irish leaders, not only to exchange their savage state for the condition of English subjects, but to appear publicly in the English garb, and to make some awkward efforts to accommodate themselves to the manners of his court. But it was not without the utmost reluctance and confusion that they thus appeared to resign their ancient manners. Tirlaugh Lynnhogh, in his old age, encumbered with his fashionable habiliments, expressed his discontent with a good-humoured simplicity. "Prithee, my lord," said he, to Perrot, "let my chaplain attend me in his Irish mantle: thus shall your English rabble be diverted from my uncouth figure, and laugh at him."

Ibid.

By this time it seems to have become a mark of confidence in the chief governor, for the parliament to consent to the suspension of Poyning's law, and which it was in some sort disreputable not to obtain. The friends of Sir John Perrot accordingly moved for the suspension of this law, in the commons' house, that the proceedings of parliament might be conducted with greater freedom and expedition. But the members of the pale, who formed what in the modern language of politics is called the country party, were by no means disposed to entrust a governor with the power of assenting to any laws which might be procured in parliament. Not employed, and little noticed by the state, they were ignorant of the schemes and intentions of the deputy; and this ignorance rendered them the more suspicious. It appears from their letters to the English council, (where these gentlemen frequently explained their real or pretended grievances,) that they particularly apprehended some scheme of oppressive and extraordinary taxation. But whatever were their motives, they gave a vigorous opposition to the bill for suspension of Poyning's law, and, notwithstanding the most zealous efforts of the court,

court, were enabled to overthrow it. The same fate attended some of the transmitted bills. One for renewing the ordinary subsidy of thirteen shillings and four pence upon every plow-land, was rejected by the commons. Such was the temper of this Cox. house, that they refused to vest the queen with the lands of attainted persons, without office or inquisition: and to declare those guilty of treason who should rebelliously detain any of her castles. It was judged expedient to defer the introduction of a transmitted bill of impost on wines. So that a short session of contest and opposition, in which two acts only were passed, one for the attainder of lord Balinglass and his adherents, another for the restoration in blood of a person whose ancestors had been attainted in the reign of Henry the eighth, was Ir. Stat. followed by a speedy prorogation.

NEW appearances of danger and disorder in the North called the deputy again into this province. The king of Scots had promised to control his roving subjects, and prevent their perpetual irruptions into Ulster; but without effect. A new descent was made by no inconsiderable body, commanded by Alexander, son to the chieftain of the Scottish colony already settled in Clanhuboy; and which, with the assistance of some unreformed Irish, infested the northern garrisons. This incident seemed too inconsiderable to demand the presence of the chief governor. But Perrot had been alarmed with intelligence of schemes formed by the popish clergy, to introduce a foreign army into Ulster. He was assured that Tirlaugh of Tirone was despised by his followers, on account of his age and weakness; and detested by the most refractory for his compliances with English government; that they disobeyed and deserted him; that the beginnings of dangerous faction had already appeared in this district; that the sons of the late John O'Nial begun to collect their followers, and to concert their schemes to obtain the chieftainry, independent

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of English government. Sensible of the inconstancy of the Irish, and that the first storm of insurrection might subvert those arrangements he had established in the northern province, he marched into Ulster. Here he soon learned that the danger from the Scots was already vanished. They had been encountered by the queen's troops, and totally defeated. Their captain was made prisoner, and as he had formerly sworn allegiance, and bound himself to English government, he was executed as a traitor. Perrot had now only to summon the Irish chieftains, who readily attended him at Dungannon. He demanded hostages from those suspected of Disaffection, which by most of them were delivered. He composed their private dissensions, and leaving the chief direction of the northern province to Tirlaugh of Tirone, Hugh, baron of Dungannon, and Sir Henry Bagnal, whose family had obtained a considerable settlement in the North, he returned to Dublin, where he was attended by Sorleboy, the old Scottish chieftain, who submitted, and renewed his engagements to government. An Englishman was found so mean and brutal as to insult the unhappy father on the misfortune of his son, and to point exultingly to his head, which was erected on a pole; the brave old Scot viewed the spectacle with a stern composure, and turning to his insulter, with a menacing and indignant aspect, "My son," said he, "hath many heads."

Hist. of
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rot.

In the midst of Perrot's cares and efforts for the complete settlement and reformation of the kingdom, neither his merits nor his success could secure him from the attacks of malice and discontent. He had ever professed a tender regard for the rights of the old native Irish, a principle equally honorable and politic, and which naturally made him attentive to guard against oppression and abuses in the lower offices of administration; and this could scarcely fail of raising him a number of secret enemies. As the establishment of an university in
Ireland

Ireland was now become a favourite object, he had ^{Perrot's} conceived the design of dissolving the cathedral of ^{Life.} Saint Patrick, and converting its revenues to this ^{Cox.} purpose, and thus kindled a most implacable resentment in the breast of Loftus, archbishop of Dublin, and chancellor of Ireland, whose interest was considerably affected by such a scheme. His enemies were industrious to represent his actions in the most exceptionable view; and were heard with too much attention in England. The neglect with which his overtures had been treated, hurried him into some passionate expressions against the queen. And when she had written to him in terms of approbation, he was weak enough to impute it to her fears of a Spanish invasion. Such effusions of passion and indiscretion, were malignantly noted, and reported with aggravation. The lords and gentlemen of the pale were influenced by his enemies to represent their grievances, in England, and their apprehensions of his designs to load them with intolerable taxes: which some of them were afterwards so ingenuous as to retract. Even fraud and forgery were employed to disgrace him. A letter was counterfeited, and sent into England, in the name of Tirlaugh Lynnoh, complaining of the most oppressive injuries sustained from Sir John Perrot. But this chieftain, in the warmth of gratitude for kindnesses received, dispatched his emissary to disavow the letter, and to bear testimony to the rectitude of the lord deputy's transactions. Another forgery, importing a protection granted by Perrot, to a popish priest, in which the expressions were used of *our* kingdom of Ireland, and *our* castle of Dublin, was transmitted into England, and made a shameful impression on the mind of Elizabeth.

In her resentment against the deputy, the queen seemed to have forgotten her own interest. A Spanish invasion was expected to fall on the South of Ireland: yet perpetual drafts were made from her
garri-

Perrot's
Lett.

Cox, ex
MSS.
Lamb.

Perrot's
Life.

garrisons, for the service of the Low-Countries, nor could Perrot's warmest instances obtain either forces or provisions for guarding against the danger. One Fenton, the Irish secretary of state, esteemed for his knowledge of this country, and employed as a kind of spy upon the deputy, was sent for to the court of England, and returned with such instructions to Perrot, as manifested that the queen had been possessed with an unfavorable opinion of his administration, and particularly of his conduct in the management of her revenue. In consequence of this mortification, he wrote to Elizabeth in terms of the utmost duty and humility, earnestly entreating her permission to repair to England, and justify his conduct in the royal presence; assuring her at the same time that he expected to prevail on a number of Irish chieftains in the several provinces, to attend him to her court; which must cut off the Spaniard's hopes of success in Ireland, when he found those lords on whom he chiefly depended, giving such proofs of their allegiance, and the queen possessed of so many valuable hostages for the fidelity of their people.

Cox.

BUT with whatever neglect his propositions were received, Perrot continued to administer his government with fidelity and zeal. A commission was issued for settling a composition in Connaught, in the place of assessments for the maintenance of troops; which was conducted with success, an ample composition granted, and the system of English polity for the present thankfully received in this province. In a second session of parliament, bills were proposed for attainder of the earl of Desmond and his adherents, but received not without difficulty and opposition. To prevent the dismembering of this earl's vast possessions, one of the Geraldines of Munster produced a feoffment, said to have been executed by Desmond before his rebellion. The house was embarrassed, and seemed ready to acquiesce in its validity, when the original of an
associ-

association was produced, of a date prior to that of the pretended grant, signed by Desmond and his kinsmen, to which the name of this Geraldine was subscribed, and which declared their defiance and opposition to the queen's government. It might have been alleged, that after this association Desmond had submitted, and been restored to favor. But the paper was received without objection, as an evidence of the fraud, and the bills passed, whereby Desmond and about one hundred and forty of his accomplices were attainted, and all their honors and estates declared forfeit to the queen.

Thus was every obstacle removed to Elizabeth's favorite scheme of repeopling Munster with an English colony. Letters were written to every county in England to encourage younger brothers to become undertakers in Ireland. Estates were offered in fee at a small acreable rent of three pence, and in some places two pence, to commence at the end of three years, and for three years more, half only of the stipulated rent was to be paid. Seven years were allowed to complete their plantation. The undertaker for twelve thousand acres was bound to plant eighty-six families on his estate: those who engaged for lesser seigniories, were to provide a proportionable number. None of the native Irish were to be admitted among their tenantry; and, among other advantages, they were assured that sufficient garrisons should be stationed on their frontiers; and commissioners appointed to decide their controversies. Sir Christopher Hatton, Sir Walter Raleigh, Sir Thomas Norris, Sir Warham Saintleger, Sir George Bouchier, and a number of other gentlemen of power and distinction, received grants of different portions. But the greater their rank and consequence, the more were they emboldened to neglect the terms of their grant. Instead of completing their stipulated numbers of tenantry, the same persons were admitted tenants to different undertakers, and in the same seigniority some-

MS. Trin.
Col. Dub.

sometimes served at once as freeholder, as leaseholder, as copyholder, to fill up the necessary number of each donomination. Leases and conveyances were made to many of the Irishry.* In some places the lands were abandoned to the old possessors, in others the undertakers unjustly encroached on the estates of the innocent and loyal inhabitants: not residing themselves, they entrusted the settlement and support of their respective colonies, to agents ignorant, negligent, and corrupt. No effectual provisions were made for defence either by themselves or by the queen. Such instances of misconduct were severely felt, and contributed to the subsequent disorders of the kingdom.

Camden.
Cox.

In the mean time, the regulations established in Connaught were threatened with a total overthrow by the violence of the degenerate De Burghos. They regretted the circumscription of their own power, by the introduction of English polity; and instead of tyrannizing over their inferiors, were rigidly and severely governed by Sir Richard Bingham. The sheriffs and other officers of justice followed the example of the lord president, and acted not only with rigor, but imperiousness. They entered the several counties, attended with large bodies of armed men, pillaging the inhabitants, whom they affected to despise, terrifying them with their military train, and rendering the execution of law odious and oppressive; so as to confirm their aversion

* The lands forfeited by Desmond's rebellion are generally said to amount to five hundred and seventy-four thousand six hundred and twenty-eight acres. Cox, from the MSS. of Lambeth, reckons up thirty seigniories granted to as many adventurers, and amounting to two hundred and eight thousand eighty-nine acres. In a manuscript of Trinity College Dublin, the number of seigniories granted to undertakers is said to be thirty-three. Supposing then the three additional seigniories to be of the largest kind (which is not probable) the grants will amount to two hundred and forty-four thousand and eighty acres. There remained then three hundred and thirty thousand five hundred and forty-eight acres restored to such as had been pardoned, or abandoned to the old possessors.

aversion from a system accepted with reluctance. One of the De Burghos, called Thomas Roah, was summoned to the session of judges, held in the county of Mayo, and refused to attend. Bingham ordered him to be seized; he resisted and was killed; two of his adherents were taken and executed: the whole sept affected the utmost terror and astonishment. They addressed themselves to the lord deputy: and so plausible were their representations, that Bingham received orders not to proceed to such severities for the future, without the knowledge and approbation of the chief governor. This favor served but to encourage the De Burghos to new extravagances. While Bingham was employed in reducing a dangerous outlaw, and noted partizan of the pope, they seized some forts, to defend themselves, as they alleged, against the injuries of the English. One of these forts, situated on the borders of a lake, was attacked by water; and although the besiegers were obliged to retreat with loss and danger, yet the rebels dreading a second assault, abandoned the post, and fled into their woods, whither they were vigorously pursued by Bingham. One of their leaders, Richard, brother to Thomas Roah, soon surrendered; but so little attention did the president shew to the directions of the chief governor, that he ordered him to instant execution. The irritable spirit of Sir John Perrot was fired by this conduct. He dispatched a peremptory mandate to Bingham, that he should desist from all hostilities against the De Burghos, accept their submissions, and receive them into the protection of government. The president could not disobey, but with becoming dignity contrived that the protections should be the consequence of an humble application from the insurgents, granted them in his own name, sealed them with the seal of his province; and repairing to Dublin in spleen and discontent, gave an account of his proceedings to the council.

PERROT

Ware.
Ann.

PERROT expressed a violent disapprobation of his conduct; he recounted various instances in which the old inhabitants had been provoked, and forced into insurrections, by injustice, rigor, and oppression. Bingham on the other hand, urged the necessity of a strict and severe government in a disordered state, the restlessness and insincerity of the old natives, and the danger to be apprehended from the governor's present indulgence. Their altercation was violent; they avowed their mutual enmity; but Bingham had the satisfaction of finding his conduct and sentiments justified by the event. His letters informed him that the De Burghos had risen again with ten-fold violence, were burning and ravaging, insisted that no sheriff should presume to enter into their country, that they should be governed by a chieftain, as in ancient times; disclaimed the queen's government, and declared for Spain and Rome. These letters he presented with an insolent triumph to Sir John Perrot; who now resolved to march in person against the insurgents. But among other mortifications to which he was exposed, one, and not the least was, that he could not engage in any military expedition without the assent of the privy council; and this was absolutely denied. The war was thus necessarily entrusted to Bingham, and he prosecuted it with vigor and severity. The hostages which the De Burghos had delivered into his hands, as a surety for their adherence to their late stipulations, were executed with a cruelty palliated by the melancholy plea of state necessity. The insurgents were pursued to their retreats, and reduced to the very point of desperation, when a body of two thousand Scottish rovers marched to their assistance. A reinforcement so alarming, determined Perrot to break through all restraints, and to support the queen's interest, even in disobedience to her instructions. Bingham had retreated, and the rebels confidently boasted that no force could now withstand them. The deputy there-

therefore marched towards the western province; but before he could arrive at the seat of commotion, intelligence was received, that by a signal and decisive victory gained over the Scots, Bingham had entirely put an end to the rebellion.

THIS victory was not obtained without the assistance of the well-affected clans both of the Irish and degenerate English. In every interval of tranquillity, the queen impatiently endeavoured to alleviate the charge of her Irish government. Not considering that her enemies though reduced, were not yet inured to obedience, she was ever ready to lessen the number of her insufficient Irish forces: and at this time particularly, recalled both men and officers to the service of the Netherlands. Some of the less reformed Irish were solicited to engage in this service. Others, flying from their dangers and distresses, or seduced by the ecclesiastics, enlisted in the army of Spain. At home the necessities of state obliged the deputy to encourage those, who were lately reclaimed and professed allegiance, to serve against the open enemies of government, so as in many places to convert the old natives into a standing militia, who had been accustomed only to assemble tumultuously, at the command of their leaders, and after a few days of service, to return to their habitations. Thus the secret enemies of English power gradually learned the art and use of arms, both on the continent and in their own country, at the very time when the English dominion was exercised with a provoking severity, even in its state of weakness.

In the northern province, which had but just now professed to accept the English polity, the execution of the laws was rendered detestable and intolerable by the queen's officers. Sheriffs purchased their places; acted as in Connaught, with insolence and oppression; spoiled the old inhabitants, and obliged them to recur to their native chieftains for protection. As the state had no

Wallop's
Let. to E
of Essex.

forces in Ulster, nothing but the mutual suspicion and disunion of the Irish prevented a sudden and violent insurrection. Grievances and dissatisfactions were echoed from various quarters. As yet they were submitted to the deputy. But the great Irish lords however they acknowledged an allegiance to the crown, were still conscious of their ancient independence, and in proportion as government grew less formidable, were the less studious to dissemble their abhorrence of it. To encrease the turbulence of their spirits, and to animate their hopes of innovation, intelligence was daily spread by popish ecclesiastics of the vast and terrible preparations made by Spain, to overwhelm all England at once, by an irresistible invasion. They were encouraged to look on Philip as their great patron and deliverer, and to hold themselves ready for the fair occasion of asserting the catholic cause and the liberty of their nation.*

Among the northern lords, Hugh, son to the late Matthew baron of Dungannon, had acquired considerable weight and consequence by the favors Moryson. he had received from government. Though his B. I. C. 1. person was not striking, he yet possessed a vigor of constitution fitted for all the severities of a military life. Less respected in his sept on account of the illegitimacy of his descent, he entered early into the service of English government, and in the rebellion of Desmond was distinguished by his industry, activity, and valor: by an English education, and a constant intercourse with the state, he added the polish of English manners to a temper naturally insinuating and subtle: but this refinement he could easily disguise among his own people, and assume all

* Candour obliges us to acknowledge that the Romish clergy at this period did not uniformly concur in exciting the Irish to insurrections. Sullivan himself confesses (although it was his business to represent the religious zeal of his countrymen in the most advantageous point of view) that a considerable party among this clergy recommended a dutiful submission to government, and opposed the practices of their more intemperate brethren. Hist. Cath. p. 117.

all the port, and accommodate himself to all the barbarous manners of an O'Nial. In the parliament held by Sir John Perrot, he petitioned, that by virtue of the royal grant to his grandfather earl Conn, to his father and his heirs, he might be admitted to the place and title of earl of Tirowen, as well as to the inheritance annexed to this earldom. The title was readily granted; but for the inheritance, which by the attainder of John O'Nial was vested in the crown, he was referred to the queen's pleasure. He addressed himself to the deputy, and so far prevailed by his insinuating manners, and particularly by promising, that, if restored to his estate, a large rent should be secured to the crown, that Perrot sent him into England with warm letters of recommendation, that he might prefer his petition to the queen. All his powers of obsequiousness and flattery were employed to captivate Elizabeth. She deigned to interrogate him on the state of Ireland. With an appearance of the most ingenuous zeal, he lamented the unnatural reluctance of his countrymen to order and civility, and their barbarous prepossessions in favor of their ancient manners; artfully pleaded the necessity of strengthening their attachment to English government; and, affecting a particular solicitude for the welfare of his own district, implored her majesty to take effectual measures for suppressing the name of O'Nial, as the first step necessary for introducing the inestimable blessings of English laws and manners into the northern province. This artifice so wrought upon the queen, that by letters patent under the great seal of England, she granted him both the earldom and the inheritance annexed to it, without any reservation of rent. It was only provided, that the bounds of Tirowen should be marked out explicitly: that two hundred and forty acres should be reserved adjoining to the river called Blackwater, for the use of a fort there to be erected; that the new earl should challenge no authority over the neighbouring lords:

that

Rot. Can.
H. A. 29.
Ediz.

that the sons of John and Tirlaugh O'Nial should have sufficient provisions allotted to them: and that Tirlaugh should be continued Irish chieftain of Tirowen, with a right of superiority over Mac-Guire and O'Cahan, two subordinate lords (or Uriaghts as they are called) of his neighbourhood.

Moryson, B. I, C. 1. HUGH now returned triumphantly into Ireland. Perrot, though offended that the patent had not passed in the usual channel of Irish affairs, and that the rent had not been reserved, yet acquiesced in the royal pleasure, and received the earl with sufficient respect. In Tirowen he was considered as a capital favorite of the queen; and he took care to magnify the graces he had received, and to impress the rude inhabitants with exalted ideas of his power and consequence. Tirlaugh, the old chieftain, notwithstanding the stipulations made in his behalf, conscious of his own weakness, readily consented to resign his authority; which, without the title, naturally devolved on the earl. Government now found it necessary to look to him for assistance and support against the disaffected of his province; and under the semblance of attachment to the crown, he well knew how to encrease his consequence. He insidiously proposed to keep six companies constantly on foot, ready to encounter any insurgents who might presume to disturb the peace of the northern province. The proposal was incautiously accepted; so that by daily changing the men of these companies, when they had once learned the use of arms, and substituting new untrained men in their places, he had the opportunity of forming all the inhabitants of his country to military discipline. At the same time, under pretence of building a mansion-house, which was esteemed a bond of civility and allegiance, he was permitted to transport to Dungannon a great quantity of lead, for covering his battlements; all of which he artfully reserved for some future occasion of military service.

IN the mean time, the power which he gradually assumed could not fail of rendering him obnoxious to the neighbouring lords. Mac-Mahon accused him to the state, of arbitrary and oppressive exactions. Mac-Guire pleaded his wrongs against them both, and was in turn accused of sinister practices. Tirlaugh himself complained of depredations made by the aspiring earl. As if he were already vested with the Irish chieftainry of his country, he gradually exercised more and more authority over the neighbouring lords; he secretly practised with the Ulster Scots, and sent them considerable reinforcements in their petty excursions, stipulating to receive the like assistance from them, whenever he should demand it: and artfully contriving to reconcile himself to the sept of O'Cahan, who had experienced his oppression, he entrusted them with the fostering of his son, that powerful bond of union among the native Irish. Perrot's
Life

SCARCELY had these suspicious circumstances been reported to the state, when intelligence arrived, still more alarming, that O'Donnel, the powerful chieftain of Tirconnel, had bidden defiance to English government, and absolutely refused to admit a sheriff into his district. On occasions like this, such a military force was usually employed as might terrify the disobedient lord into a temporary submission; but the state was now left destitute even of such a force. The council at Dublin was in the utmost perplexity; provoked at the insolence of O'Donnel, yet dreading to assert their authority, lest they should kindle up a war for which they were by no means prepared. Expedients were proposed and rejected; when Perrot in a kind of triumph over the embarrassment of his counsellors, assured them that if they would resign the affair to his conduct he made no doubt of bringing in O'Donnel or his son, without any extraordinary charge to her majesty, any hazard to her subjects,

jects, annoyance to the country, or interruption of its peace.

LEFT to the execution of his project, and intent only on present expediency, he proceeded in a manner equally impolitic and dishonorable. A merchant of Dublin was instructed to lade a ship with Spanish wines, and to sail up by Donnegal, into the country of O'Donnel, to expose his wines to sale, to show an extraordinary courtesy and bounty to the natives, to invite, and feast them in his ship: and if the old chieftain or his son should be prevailed on to come on board, to entertain them liberally; and when intoxicated, to secure them under hatches, and to convey them to Dublin. The pretended Spanish merchant executed his commission accurately and successfully. The rude inhabitants crowded to purchase his wines, and to partake of his liberality. The eldest son of O'Donnel, and two companions, accepted his invitation to carouse on board of his ship: and when they awaked from their debauch, they found themselves prisoners. They were deposited in the castle of Dublin; and Perrot exulted in the easiness and success with which he had procured hostages for the peaceable submission of O'Donnel.

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rot.

His administration was now drawing towards a conclusion. Neglected in England, and denied the support necessary for his government; mortified in various instances by the queen; traduced by the unceasing malice of his enemies, and insulted by his inferiors at the council-board, he grew impatient to be recalled, and earnestly petitioned Elizabeth to relieve him from a burden, which the perverseness of her subjects in Ireland of the English race had rendered utterly intolerable; and whom he had provoked beyond all possibility of reconciliation, by restraining their oppressions of the ancient natives. "I can please your majesty's Irish subjects," said he, "better than the English, who, I fear, will
" shortly

“ shortly learn the Irish customs, sooner than the
“ Jews did those of the Heathens. My soul is a
“ witness to my Saviour, this is truth which your
“ true and faithful subject speaketh. I am weary
“ of my place, but never to serve your highness.”

The queen consented to appoint a successor: but as the Spanish invasion was now expected, Perrot took care, before the intelligence of his speedy departure was divulged, to summon a number of lords and chieftains before him, who might be suspected of favoring a foreign enemy. In this time of danger he exhorted them to give the fullest assurances of their peaceable and loyal intentions, by delivering hostages to government. He convinced them of the propriety of this measure; and they consented. He delivered the sword to Sir William Fitz-William, declaring that he left the kingdom in peace; and that now, though a private man, he would engage to bring in any suspected leader within twenty days, without violence or contest. He embarked, with the acclamations, particularly of the lower orders of people, who had felt the benefits of his administration. Old Tirlaugh of Tirowen followed him to the water-side, bathed in tears.

Sir William Fitz-William assumed the reins of government at a favourable period; when an interval of tranquillity had diffused plenty and prosperity through the country; when the provinces of Connaught and Munster were governed with vigor by Sir Richard Bingham, and Sir Thomas Norris deputy to his brother John; when the discountents and secret practices of Ulster had not yet broken out into any violence, and might have easily been stifled by a moderate and equitable conduct. But the new deputy doth not appear to have been disinterested, or even uncorrupt, much less possessed with liberal principles of policy. He is said to have solicited some reward for his services in his former administration, and to have received for answer, that the station of an Irish lord deputy was an honorable

norable preferment, which should challenge no reward. In resuming the government, he therefore resolved to take every occasion of converting it to his own emolument.

ON the defeat of the famous enterprize formed against England by the king of Spain, seventeen ships of the invincible Armada, containing about five thousand four hundred men, were driven by storm on the northern and north-western coasts of Ireland. They were received by the Irish, who considered them as their kinsmen, with the utmost kindness and hospitality. And as the incident served to revive all their prepossessions, they naturally discoursed with these foreigners, of their ancient grandeur, the subjection which now oppressed them, and the glory of rescuing an injured people from the English yoke. They were encouraged in such sentiments; the greatness, the goodness of the king of Spain, but above all, his zeal for the catholic cause, were magnificently displayed. From him they were assured of receiving protection and support; and exhorted to persevere in their laudable disaffection to an heretical government. The earl of Tirone was suspected of having entered into a formal treaty with the Spaniards, and concerted dangerous schemes for favoring a future invasion. Others of the Irish lords avowed their attachment to Spain with less reserve. One thousand Spaniards, under the command of an officer called Antonio de Leva, were cast on the territory of O'Ruarc, the Irish chieftain of Breffney, and there hospitably entertained. Bingham prepared to attack them; the Irishman obstinately opposed the attempt: he considered such a troop according to the ideas of his countrymen, as a powerful army, and in conjunction with a neighbouring chieftain, urged Antonio to stay in Ireland, and to declare war against Elizabeth; representing the weak state of her Irish army, the vast assistance to be expected from his countrymen, and the ease with which the English power might be overthrown. The Spaniard, who possibly

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possibly entertained no respectful opinion of his new ally, replied, that at present he was not warranted to engage in such an enterprize, without commission from his royal master; but that he should speedily return with such powers and such an armament, as would effectually answer their generous purpose. He embarked: but even in sight of the Irish shore, his ship foundered, and the whole crew perished. Thus was O'Ruarc abandoned to the vengeance of the lord president: who, after some hostilities, drove him for shelter into Scotland; where he was seized by order of the king, delivered to Elizabeth, and afterwards executed in London as a traitor.

In the mean time reports were industriously ^{Moryon,} conveyed to the lord deputy, that vast treasures and ^{B. I. C. 1} stores of various kinds had been brought by the Spaniards into Ireland, and now lay secreted in the places where they had been entertained. Fitz-William, fired with the hopes of possessing himself of this mass of wealth, first issued a commission for searching, and securing it as the property of the queen. His commission proved ineffectual: he therefore marched in person into Ulster, in the depth of winter, to the great charge of the state, and annoyance to the country, in pursuit of this treasure: but whether his intelligence was false, or his searches artfully evaded, no treasure could be found. Sir Owen Mac-Toole, father-in-law to the earl of Tirone, and Sir John O'Dougherty, were represented, as having possessed themselves of a considerable part of these supposed stores. In the vexation of disappointment, Fitz-William seized them, and without any proof or presumption of guilt committed two gentlemen, who had done services, and were known to be well-affected to government, to close durance in the castle of Dublin. The first was not enlarged till the severity of his confinement had reduced him to the point of death. The other, after a restraint of two years, was said to have purchased his liberty by a considerable bribe.

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This severe and arbitrary treatment of two persons, revered among their countrymen, was received with abhorrence. The loyal Irish trembled for their own safety; many repented of their submissions; and the disaffected were confirmed in their inveteracy. The earl of Tirone, whose consciousness of his own secret practices, served to alarm him the more, and was regarded by the state with jealousy and suspicion, determined to withdraw himself from the violence of Fitz-William, and with an affectation of duty and loyalty repaired to England, to cast himself at the feet of Elizabeth, and renew his assurances of attachment and fidelity. He had departed without licence from the deputy, and was therefore at first restrained of his liberty: but such was the well-dissembled zeal of his submission and humility, that the offence was soon pardoned, and the earl admitted before the privy council, to give such assurance of his future loyalty as should be demanded. He agreed to find sureties for his good behavior, with the addition of hostages to be delivered to the Irish deputy, and to be exchanged once in three months. The principal articles which he was thus bound to perform, were to continue loyal and peaceable; to renounce all Irish sovereignty and Irish customs; and to promote the establishment of English laws and manners in his district; to give no aid to the queen's enemies; to hold no correspondence with foreign traitors; to maintain no monks or friars; not to meddle with spiritual livings; to levy no forces without licence of the state; to keep his troop of fifty horse in the queen's pay complete; and to be ever ready on a general hosting to attend the royal standard; to supply the garrison of Blackwater with provisions at a reasonable price; to impose no exactions but by commission from the state; and to execute no criminals, but by licence of martial law. The articles which restrained him in the exercise of Irish sovereignty, were, at his representations of the equity and necessity

necessity of it, ordered to be imposed on the chieftains of his neighbourhood also. He readily and cheerfully acquiesced in every requisition; and the earl of Ormond and Sir Christopher Hatton became sureties for his performance.

SCARCELY had this accommodation been concluded, when the sons of John O'Nial, who envied and dreaded the rising power of Tirone, made a bold attempt to effect his ruin. Hugh a bastard son of John, surnamed *Ne-Gavelocke*, or the *fettered*, from the circumstance of his being born in the captivity of his mother, was commissioned to repair to the court of England, and there to accuse the earl of several articles of treason, particularly of having entered into secret negotiations with Spain, by means of those Spaniards who had been shipwrecked on his coast. Tirone affected to treat this accusation with contempt; he imputed it to the enmity which his countrymen had conceived against him from his attachment to the queen; and observed, that he, who had advised the total suppression of the name of O'Nial, never could be forgiven by that haughty sept. Thus converting this charge into a proof of his merits; he so wrought upon the council, that the accuser was neglected, and the earl permitted to return to Ireland. His promises and assurances of fulfilling his engagements were renewed to the lord deputy; but when pressed to execute his indentures in due form, he artfully replied, that all his neighbouring lords stood equally engaged with him, and that when they were ready to appear before the state, and enter into the necessary securities, he should be found equally prepared; but to execute his indentures singly, while they continued free, were only to expose his country to their lawless depredations; and to deprive himself of all power of defence.

In the mean time, the son of O'Donnel, who had been seized by the artifice of Perrot, some of the O'Nials, sons to John, and other hostages of the northern lords, impatient of a dishonorable and severe

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severe captivity in the castle of Dublin, contrived an escape. They first attempted to bribe their keeper, who disclosed their offer to the lord deputy; he was instantly displaced, and one of his own servants substituted in his room; a circumstance which gave rise to a suspicion that Fitz-William himself was not unacquainted with their design, nor averse to favoring it. However this may be, the hostages effected their escape, and some proceeded directly, and without any difficulty to their own country. Hugh O'Donnel, and Arthur, a youth of the family of O'Nial, being hotly pursued, fled for immediate shelter to some of the Irish septs in the neighbourhood of the capital; and gained a miserable retreat, in the dreary season of the year; where their friends, terrified by the queen's troops, left them for some days, to struggle with the miseries of cold and hunger; and when they at length ventured to their relief, found the young O'Nial expiring with famine, and Hugh O'Donnel deprived of his limbs, by the severity of cold, lamenting over his companion. He was harboured, attended, and restored. He regained his country with an implacable detestation of the English power, sharpened by the recollection of his sufferings; and was soon after invested with the Irish chieftainry of Tirconnel, on the resignation of his father; so as to be thus enabled to give a freer course to his resentment.

Moryson,
ut sup.

AND, as if the secret fire of disaffection were not sufficiently kindled in the northern province, Fitz-William by his intemperate conduct seemed to court every occasion of inflaming it. Mac-Mahon, chieftain of the district called Monaghan, had surrendered his country held by tainstry, to the queen, and received a re-grant thereof, under the broad seal of England, to him and his heirs male, and in default of such heirs, to his brother Hugh. As he died without issue, this brother petitioned to be admitted to his inheritance. He is said to have pro-

mised a considerable bribe in order to facilitate his
 suit: and to his failure of payment it was imputed,
 that he was for some days imprisoned, on his arrival
 at Dublin. Fitz-William, however, was prevailed
 upon to promise that he would settle him in peace-
 able possession of his inheritance, and for this pur-
 pose that he meant to go in person into Monaghan.
 But scarcely had he arrived thither, when he eagerly
 received a new accusation against Hugh, that, two
 years before, he had entered hostilely into a neigh-
 bouring district, to recover some rent due to him,
 by force of arms. In the unreformed parts of Ire-
 land, such actions were common and unnoticed; but
 the English law declared them treasonable. The
 unhappy Mac-Mahon, for an offence committed
 before the law, which declared it capital, had been
 established in his country, was tried, condemned by
 a jury said to be formed of private soldiers, and
 executed in two days; to the utter consternation of
 his countrymen. His estate was distributed to Sir
 Henry Bagnal and other adventurers, together with
 four of the old Irish sept.

THE condemnation of this chieftain confirmed
 the Irish in their aversion to English polity, which
 they considered as a system of hateful tyranny and
 cruelty. They combined in a resolution of oppos-
 ing the admission of sheriffs and other officers of
 justice into their respective counties. When Fitz-
 William intimated to the chieftain of Fermanagh
 that he intended to send a sheriff into his district,
 Mac-Guire answered with a well-affected simplicity,
 —“Your sheriff shall be welcome: but let me
 “know his erick, that if my people should cut off
 “his head, I may levy it upon the country.”—
 The northerns were not yet ready to rise up in open
 opposition to English government, but they were
 industrious in concerting measures for this purpose.
 The young chieftain of Tirconnel, to encrease his
 consequence, married a daughter of the earl of
 Tirone; and thus were the suspicions increased
 which

which the state already entertained of this earl. He had found means to secure the person of his late accuser, Hugh Ne-Gavelocke; and at once to gratify his revenge, and to prevent all further discovery of his secret practices, he instantly condemned him to die by the hand of the executioner. And such was the reverence paid to the name of O'Nial, that no executioner could be found, until a distant county had been ransacked for a man to inflict this sentence. The state was alarmed, and the queen highly offended at this presumptuous act of violence. But the earl pleaded that he had only exercised his power of martial law in cutting off a notorious traitor. And as he was regularly vested with this power, government could only express its resentment by withdrawing his commission. Tirlaugh O'Nial complained of his outrages. Sir Henry Bagnal accused him of seducing the affections of his sister, and marrying her while his former wife was living. But Tirone who still found it necessary to dissemble, declared that his alliance with O'Donnel was intended merely to keep him firm to his allegiance; that the outrages which Tirlaugh had suffered were the consequences of his own lawless violence; that far from seducing the sister of Sir Henry Bagnal, she had freely consented to become his consort, and that he was equally at liberty to accept her, as he had been regularly divorced from his former wife. He accused his brother-in-law of usurping an authority in Ulster, inconsistent with his just rights, but at the same time artfully requested the lords of her majesty's council to prevail on Bagnal to be reconciled to him, that they might live as kinsman and neighbours, and concur amicably in the service of government. To give these professions a greater air of sincerity, he admitted his country to be formed into a shire, and divided into baronies after the English model. The northern province, which harboured the most pestilent disaffection, now seemed reduced and pacified; and government found leisure to attend to other districts of

Lee's
Lett. to
Q. Eliz.
MS. Trin.
Col. Dub.

Moryson.

of the island. A composition for purveyance was established in Munster for three years; and the queen flattered by finding every province of Ireland at length consenting to contribute in this manner, to the augmentation of her revenue.

BUT this interval of tranquillity was distinguished by an event of still greater honor to the queen's government, and greater consequence to the welfare of Ireland, whose influence had been happily experienced for almost two centuries, the great source of refinement and civility in a country most unhappily situated; I mean the foundation of the UNIVERSITY OF DUBLIN.

THE first attempt made by the English settlers ^{Ware.} to establish an academical body in Ireland, was by Lech, archbishop of Dublin, in the year 1311. He procured a bull from Rome for the erection of an university in Dublin; a project which ended with his death. The second has been already taken notice of, that of his successor Bricknor, immediately after the Scottish war, in the reign of Edward the second: which, though with difficulty supported for the space of thirty-eight years, yet was not entirely forgotten, but retained its name at least, even to the reign of Henry the seventh. In that of Edward the fourth, it was enacted by an Irish parliament in the year 1465, that an university should be established in the town of Drogheda, with the same liberties and privileges enjoyed by that of Oxford. But this like other acts of Irish legislation, was totally disregarded and forgotten in the tumult of civil affairs.

FROM the first beginnings of the Reformation, the difficulties of finding pastors, the negligence ^{Ibid.} of governors in affairs of religion, and the opposition given to every attempt to provide for the instruction of the people and the real establishment of the reformed faith and worship, gradually reduced the church of Ireland to a state of desolation.

tion*. And as the power of the crown of England grew firmer and more extended, serious men naturally

* From Spencer's description of the state of the Irish church some time after the establishment of the university, it appears that no essential improvement, had been made in it, from the time of Sir Henry Sydney's administration. The following letter, therefore, written by this statesman to queen Elizabeth is here inserted, as an accurate, lively, and authentic account of the scandalous and miserable condition of the ecclesiastical state of Ireland at this period.

Sir Henry Sydney to Queen Elizabeth.

May it please your most excellent majestie,

I have in fower several discourises, addressed vnto the lordes of your highness most honourable councell, certified thein howe I founde this your highness realme, at myne arryval into the same; and what I have seene, and vnderstand by my travell theise sixe last monethes, in whiche I have passid thorough eche province, and have bene almost in eche countye thereof; The whiche I would not sende to your most excellent majestie, immediatlye to be reade by the same; least they should have seemed to tedious, partleye thorough the quantitie of the matter, but chieflye thorough the bad delyvery thereof, by my pen; not doubtinge but your majestie is by this tyme advertized of the materiall pointes contained in them.

And nowe, most dear mistres, and most honored sovereigne, I soyle addresse to you, as to the onelye sovereigne save geve, to this your sore and sicke realme, the lamentable estate of the most noble and principall lym thereof, the church I meane, as fowle, deformed, and as cruellye crushed, as any other parte thereof; by your onelye gracious and relygious order to be cured, or at least amended: I would not have beleved, had I not for a great parte, viewed the same, throughout the whole realme, and was advertized of the perticuler estate of eche church, in the bishoppricke of Meithe (being the best inhabited countrie of all this realme) by the honest, zéalous and learned bishop of the same, Mr. Hugh Bradye, a godlye minister of the gospell, and a servaunt to your highnes, who went from churche to churce hym selie, and found, that there are within his dioces 224 parishe churches, of which number 105 are impropriated to sondrie possessionss, nowe of your highnes, and all leased out for yeares, or in see farne, to several farmors, and great gayne reaped out of them above the rent, which your majestie receivethe; no parson or vicar, resident vpon any of them, and a verye simple, or soarye curat, for the most part apointed to serve them; amonge which number of curatts, onelye eightene were

naturally turned their thoughts to remedying this dreadful evil. The obvious and most effectual means

were founde able to speake *Englishe*; the rest *Irishe* preists, or rather *Irishe* roges, havinge verye little *Lattin*, lesse learnings, or cyvilitie: all theise live upon the bare alterages (as they tearme them) which God knoweth are verye small, and were wont to live vpon the gayne of masses, dirges, shryvings, and soch lyke t:omperye, goodlye abolished by your majestie: no one howse standinge for any of them to dwell in. In maney places, the very walles of the churches doune; verye fewe chauncells covered, wyndowes and dores ruyned, or spoyled: There are 52 other parishe churches in the same dioces, who have viccars indued vpon them, better served and mayntained then the other, yet but badlye. There are 52 parishe churches more, residue of the first number of 224, which pertaine to dyvers peticular lordes, and these though in better estate, than the rest commonlye are, yet farre from well. If this be the estate of the church, in the best peopled dyoces, and best governed countrie, of this your realme (as in troth it is:) easye it is for your majestie to conjecture, in what case the rest is, where little or no reformation, either of religion or manners, hath yet bene planted, and continued amonge theime; yea, so profane and heathenish are some partes of this your countrie becomm, as it hath bene preached publikely before me, that the sacrament of baptisme is not vsed amonge them, and trewlye I beleve it: if I should write vnto your majestie, what spoyle hath bene, and is of the archbisshoppricks, whereof there are fower, and of bisshoppricks, whereof there are above thirtie, partelye by the prelatts theim selves, partelye by the potentates, their noysoine neighbors, I should make too longe a lybell of this my lettre: but your majestie may beleve it, that vpon the face of the earthe, where Christ is professed, there is not a church in so myserable a case: the miserye of whiche consisteth in theise three particulars, the ruine of the verye temples theim selves; the want of good mynisters to serve in them, when they shall be reedified; competent lyvinge for the mynisters, beinge well chosen. For the first, let it lyke your most gracious majestie to write earnestlye to me, and to whom els, it may best please you, to examyne in whome the fault is, that the churches are so ruynous: if it be founde in the countrie or fermors, to compell them spedilye to goe about the amendement of theim if the sawit, for the churches of your highnes inheritaunce, be not in the fermors, nor they bound to repair them (and the most ruyned of theim are soche as are of your possession) it may like you, to graunt warraunt that some porcion may yerelye, of the revenue of everye parsonadge, be bestowed on the churches of the same.

means was that of qualifying the inhabitants to become ministers of the gospel, so as not to be obliged to a few unqualified pastors reluctantly dragged from

For the *second* and *third*; which is, that good ministers might be founde to occupie the places, and they made able to lyve in them; in choyce of which ministers, for the remote places, where the *English* tongue is not vnderstood, it is most necessarie that soche be chosen as can speake *Irishe*, for whiche searche would be made first, and spedilye, in your owne vniversities; and any found there well affected in religion, and well conditioned beside, they would be sent hether animated by your maiestie; yea, though it were somewhat to your highnes chardge; and on perrill of my liffe, you shall fynde it returned with gayne, before three yeres be expired: if there be no soche there, or not enough (for I wish tene or twelve at the least) to be sent, who might be placed in offices of dignitie in the church, in remote places of this realme then I do wishe, (but this most humblye vnder your highnes correction,) that you would write to the regent of *Scotlande*, where, as I learne, there are maney of the reformed church, that are of this language, that he would prefer to your highnes so maney as shall seme good to you to demaunde, of honest, zelous, and learned men, and that could speake this language; and though for a whyle your maiestie were at some chardge, it were well bestowed, for, in shorte tyme, their owne preferments would be able to suffice them; and in the meane tyme, thowsands would be gayned to Christ, that nowe are lost, or left at the woorst: And for the ministerie of the churches of the English pale of your owne inheritaunce, be contented, most vertuous quene, that some convenient porcion for a minister may be allowed to hym, out of the farnors rents; it will not be moch losse to you, in your revenue, but gayne otherwise inestimable, and yet the decay of your rent but for a while; for, the yeares once expired of the leases alreadye graunted, there is no doubt, but that to be graunted to the church will be recovered with encrease.

I wishe, and most humblye beseeche your maiestie, that there may be three or fower, grave, learned, and venerable parsonages of the clergie there, be sent hether, who in short space, being here, would causilye perceive the inormities of this overthrowne church, and easelye prescribe orders, for the repaier and vpholdinge of the same, whiche I hope God would confirme; and I find no difficultie, but that your officer here might execute the same; cause the bishopps of that your realme, to vndertake this apostleshipp, and that upon their owne chardgies: They be ritche enough, and if either they be thankfull to your maiestie, for your immense bounty done to them, or zelous to increase the christian flocke, they will not refuse this honorable and religious

from another country. In the parliament of 1569, it was moved to re-establish the university once erected in the church of saint Patrick, and to support it by voluntary contributions. Sir Henry Sydney, a man of piety, and sincerely zealous for the reformation of Ireland, countenanced the design, and offered considerable assistance. The scheme was communicated to the lords of the council in England, with an earnest supplication that the queen would be pleased to favor it with her bounteous liberality; but whether the subsequent disorders in Ireland, or the queen's cares and alarms in England prevented the further prosecution of this design, the next attempt was reserved for the enterprizing genius of Sir John Perrot.

THE purpose of this governor was to erect two colleges (both in Dublin) on the dissolution of the cathedral of saint Patrick: which, as he observed, ^{Perrot's Lett.} was held in more superstitious reverence than the other,

religious travell; and I will vndertake their guydinge and gardinge honorablye, and safelye from place to place; the great desier that I have, to have soche from thence, is, for that I hope to fynde them, not onely grave in iudgement, but voyd of affection.

I most humbly beseeche your majesty to accept theise my rude lettres, as fygures of a zealous mynde for reformation of this your church and countrie; wherein me thinketh I woorke waywardlye, when the latter is preferred before the former. When I had thus come to an ende of this my evill scribldd lettre, and beheld the illegiabile lynes, and ragged lettres of myne owne staggering hand, I was ashamed to suffer the same to be sent to your majestie, but made my man to write it out agayne; for whiche I most humblye crave pardon, as for the rest of this my tedious petition. And thus, from the bottome of my harte, wishing to your majestie the longe continuance of your most prosperous and godly reigne over vs, your most happie subiectes; as a most faythful and obedient servaunt, I recommend myself, and service, to your most excellent majestie. From your highnes castell of Dublin, this xxviiiith of April, 1576.

Your majesties faythfull, humble, and

obediaunt servant

H. SYDNEY.

other, and therefore ought to be dissolved. The building he proposed to convert into courts of law, and the annual revenues amounting, as was computed, to four thousand marks, he intended as an endowment for each seminary, of one thousand pounds yearly; the residue to be employed in reparation of the church, or augmentation of the revenues of the other cathedral. But this scheme was violently opposed by Loftus, archbishop of Dublin, who was particularly interested in the livings of this church, by leases and estates, which he had procured for himself and his kinsmen. His haughty spirit encountering with that of Perrot, soon enflamed his opposition into a rancorous and violent animosity, which the queen thought it necessary to allay by her letters. The prelate, on the recal and ruin of his antagonist, determined to shew, that although he disapproved of the particular scheme suggested by Perrot, he was really a zealous friend to the establishment of a seminary of learning, so as to diffuse knowledge and civility through the kingdom. The monastery of All-hallows, erected by Dermot Mac-Murchad, king of Leinster, in the neighbourhood of Dublin, near to the south-eastern shore, was considered as a proper situation for this purpose: on the dissolution of religious houses, in the reign of Henry the eighth, the site of this monastery had been vested in the mayor and citizens of Dublin; and to these the prelate applied with zeal and assiduity.

In two speeches, which Loftus liked so well as to preserve, he informed them of the queen's gracious intentions to erect an university of good literature in Ireland; he expatiated on the advantages which they in particular must derive from such a society established in their neighbourhood, and exhorted them to grant the ground necessary for this purpose: "An act," saith the prelate, "of good acceptance with God, of great reward hereafter, and of honor and advantage to yourselves, and
" more

“ more to your learned offspring in the future ;
 “ where, by the help of learning, they may build
 “ your families some stories higher than they are,
 “ by their advancement either in the church or
 “ commonwealth.” Such were the prospects with
 which the citizens were then flattered : * * *

THE proposal was embraced, and the monastery, with its precincts, freely granted them. The queen was now solicited for her royal charter, and a mortmain licence for the land granted by the city. Henry Usher, and Lucas Challoner, two men destined to be members of this new community, were made the agents of this solicitation, and soon returned with a warrant for a license to pass the seals, dated the 29th day of December, 1591, for the incorporation of an university, with a power of holding the granted lands, and any others that might be obtained, to the amount of four hundred pounds yearly value. This was followed by a regular charter, by which the college was erected as mother of an university, by the style of THE COLLEGE OF THE HOLY AND UNDIVIDED TRINITY OF QUEEN ELIZABETH, NEAR DUBLIN; To consist of a provost (Adam Loftus, archbishop of Dublin) three fellows in the name of more, (Henry Usher, Lucas Challoner, and Launcelot Moyne,) and three scholars also in the name of more, (Henry Lee, William Daniel, and Stephen White.) Cecil, lord Burleigh, was named in the charter first chancellor, and all future elections into this office vested in the provost and fellows. The fellows were empowered to elect their provost; they were to hold their station for seven years only; and the society to be visited by the archbishop of Dublin, bishop of Meath, vice-treasurer, treasurer at war, chief justice, and the mayor of Dublin.

A FUND was now to be provided for buildings and other charges attending this infant society. And therefore, on the 11th of March, 1591, the lord-deputy Fitz-William, and the privy council, issued

issued circular letters to the principal gentlemen in every barony of the kingdom, entreating their benevolent contributions: and although the design had to struggle with the poverty of the kingdom, and the reluctance of the popish party, yet in two days after, the first stone of the buildings was laid; and on the ninth day of January, 1593, the students were admitted. Languishing for a while under the oppressions of the time, and frustrated of the benefits of its grants by the wars of Ulster, the society grew in danger of an untimely dissolution: but cherished on the other hand by the care and bounty of the queen, it struck its roots securely amidst the public storms, and cultivated as it was by succeeding princes, rose to a degree of consequence and splendor infinitely disproportioned to its first beginnings.

* * * * *

CHAP. IV.

Earl of Tirone suspected....Accused by Bagnal....Partiality of Fitz-William....Affected loyalty of Tirone....He provokes his countrymen....Assumes the title of O'Nial....Russel lord deputy....Amused by Tirone....Success and cruelties of the Irish in Ulster and Connaught....Sir John Norris sent into Ireland to command the Queen's forces....Hostilities of Tirone....His danger and address....The Queen directs a conference with the Northerns....They condescend to a short truce....Spirit of rebellion extended to Leinster and Munster....Distress of Norris....Fruitless expedition against the Northerns....Their terror, their parley, and submission....They repent of their treaty....Are encouraged by Spain....Norris engaged in Connaught....Recalled to the North by the hostilities of Tirone....Affected submission of this earl....Condescensions of the Queen....Insolence of Tyrone....Disgrace and death of Norris....Lord Burgh chief governor....Pursues the war with vigor....His sudden death....Ormond commander of the army....His conference with Tirone....Their accommodation....Irish rebels encouraged by the Queen's conduct....Hostilities renewed....Battle of Blackwater....Consequences of this action....Insolence of the disaffected, and distress of the royalists....Earl of Essex lord-lieutenant....His formidable army....The rebels still undismayed....Conduct of Essex....His representations to the Queen....He is reinforced....Prepares to march against the Northerns....Defeat and death of Sir Conyers Clifford....Earl of Essex confers with Tirone....Their interview....A truce granted to the Northerns....Elizabeth alarmed....Essex incensed....His precipitate departure and appearance before the Queen....Irish insurgents elevated....Assisted by Spain....Encouraged by the pope....His present to Tirone....The truce broken by this

this earl. . . . Applications to Rome. . . . A bull in favor of the Irish insurgents. . . . Their power. . . . The weakness of government. . . . Tirone practices in Munster. . . . Activity of the earl of Ormond,

A. D.
1594.

Moryson,
B. I. c. 1.
p. 29.

*THE spirit of disaffection which had by this time possessed most of the northern Irish, although it had not yet broken out into any considerable acts of violence, yet could not be entirely concealed from the vigilance of government. The conduct of Tirone in particular had in many instances appeared equivocal, and highly suspicious. Sir Henry Bagnal, now his mortal enemy, had received such informations as he deemed sufficient ground for a formal impeachment of this earl. He exhibited several articles of treason against him to the council, which were favourably received. Tirone answered by letter, to the points alleged. But Fitz-William, forgetting the ingenuousness and impartiality of a good governor, transmitted the accusation to England; but suppressed the reply.

Ib. p. 28,
29.

IN the mean time a creature of the lord-deputy, who had ventured to exercise the office of sheriff in Fermanagh, proceeded in the usual way of spoiling and oppressing the wretched inhabitants, with his rapacious train of followers. Magwire, the Irish chieftain of this district, was so provoked, that he rose up in arms, and was on the point of cutting off the sheriff with all his attendants, when Tirone interposed, and with an affected solici-

* The affairs of Ireland from this period to the death of queen Elizabeth, are so exactly recounted by co-temporary writers, and actors in the scene, that it would require a distinct work to follow them through every step of the detail. But this is a labour to be imposed neither on the writer nor the reader. Incidents, however interesting to a lord-deputy or lord-president of those times, are at this day reduced to their strict and just value. Nor can it be imputed to any want of acuteness in an historian that he doth not display them in all their disgusting minuteness and insignificance.

solicitude for their safety, prevailed on his countryman to allow them a peaceable departure. He knew how to display this service in England; and thither he instantly transmitted the most pathetic complaints of the lord-deputy's partiality, and the iniquity of Bagnal. To every article on which he was accused, he sent a plausible reply, offering even to appear in England; and there defend his cause, or to maintain his innocence in single combat with his adversary; and so wrought upon the lords of the English council, that they declared themselves fully satisfied with his defence, commended his conduct in Fermanagh, and reproved the lord-deputy for his partiality.

Lee's
Lett. to
Q. Eliz.
MS.

THE earl soon found another occasion of displaying his pretended loyalty. The outrage committed by Magwire, determined the lord-deputy and council to oppose him as a traitor. Bagnal was ordered with some troops to attack him in Fermanagh; Bingham led the queen's forces to oppose his machinations in Connaught, whither he proceeded at the instigation of one Macguaran, a factious ecclesiastic, whom the pope had invested with the title of prelate of Armagh; there gained some associates, and excited some commotions, by means of a commission which Macguaran pretended from the king of Spain; and the assurances which he lavished of an immediate and effectual support from this monarch. Bingham pressed on the insurgents with vigor. In the first encounter the turbulent priest was killed, and Macwire driven into his own territory. Here the chieftain of Tirconnel, with some mercenary Scots, united with him against the English. The earl of Tirone, with all the alacrity of a faithful subject, joined the standard of Bagnal; and in an action in which the Irish associates were defeated, distinguished himself with such zeal, that he received a wound in the thigh. Yet with all this appearance of loyalty, his countrymen acknowledge,

Morys. p.
30.

Sullivan. that he now held 'a secret correspondence with the
 Hist. enemy: and such was his consciousness of guilt,
 Cath. p. or his pretended fears of Bagnal, that he suddenly
 129. withdrew from the camp, without taking any further part in this petty war. Enniskillen, the chief fortress of Magwire, was taken, or, as the Irish writers allege, was betrayed to Sir Richard Bingham. But no sooner had an English garrison been stationed there and the rest of the queen's forces withdrawn, than it was again closely invested by O'Donnel. This chieftain, with less insidious caution than Tirone, openly declared hostilities against the English, sent one of the popish bishops into Spain to solicit assistance from Philip; and provoked to impatience at the duplicity of the earl, declared that he should consider him as an enemy, if he delayed any longer to unite with his countrymen. This precipitation little suited with the wily policy of Tirone. He would willingly have waited the arrival of a powerful foreign succour, to give force and consequence to their insurrection. To pacify the chieftain of Tirconnel, his brother Cormac O'Nial marched with some troops to his assistance.

Bb. p.
134.

But however cautiously this earl avoided a premature declaration against English government; yet new incidents obliged him, for his own interest and security, to give some further offence. Tir-laugh, who had so long enjoyed the Irish chieftainry of Tirone by permission of the state, was now approaching to his dissolution. The earl knew too well the consequence of succeeding to a title which commanded an habitual reverence and obedience in his country. His only rivals were the sons of the late John O'Nial, who had been suffered to escape from the castle of Dublin. These he contrived to seize and cast into chains: and on the death of the old chieftain, immediately assumed the important title of THE O'NIAL. Nor did he want pretences for palliating these acts of outrage: particularly he

Morrs. B.
1. p. 22

he pleaded that he had assumed the chieftainry, merely to prevent its being seized by some other of his sept, less favourably disposed than himself to English government; and that he determined to resign it, whenever a regular course of law and polity should be established in his territory. The present weakness of the state obliged them to appear contented with such apologies.

THE lord deputy Fitz-William had solicited to be recalled; and was succeeded by Sir William Russel son to the duke of Bedford; when Tirone, *Morys.* who had for some time affected the greatest terror p. 32, 33. of government, and entirely absented himself from the state, suddenly appeared before the new governor, (as if the injustice of Fitz-William had been his only ground of apprehension) lamented the wrongs he had sustained from the malicious insinuations of his enemies, and made the most passionate professions of his submission and devotion to the queen. Russel, less acquainted with his character, was affected by the apparent warmth and sincerity of these professions; but Bagnal, who knew his insidious practices, and was besides possessed with a personal inveteracy against him, assured the deputy that all the disorders of the North had been really owing to the machinations of this dangerous earl; and by enumerating the suspicious circumstances of his conduct, and charging him with several particulars of disloyalty, so far prevailed, that it became a question whether he should not be committed to custody. Russel declared for this measure; but the majority of the council, either through fear, or private affection, pleaded against such rigor; and Tirone was dismissed to concert new mischief, to the utter dissatisfaction of the queen's English ministers.

THE deputy was now to prosecute the insurgents of the North, and particularly to relieve the *Ibid* castle of Enniskillen: for this purpose, leaving the earl of Ormond to command in Leinster, which was now

Sulliv.
p. 135.

now harassed by the turbulence of the Irish septs, he led his forces towards Fermanagh; but soon learned that his expedition was too late. The English troops detached against the besiegers had received a total defeat from O'Donnel and his confederates; and the garrison, reduced to desperate distress, had surrendered; and were without mercy butchered by the Irish, who pleaded, that they thus revenged the like cruelty exercised by Bingham on reducing this fort. In all the barbarous triumph of incensed conquerors they pierced into Connaught, committed the most afflicting outrages in all the well-affected quarters, besieged the English fort of Belleek, cut off a detachment sent to its relief, and practised their usual barbarity on the garrison, when famine had compelled them to surrender. To complete his triumph, O'Donnel was enabled to establish one of the degenerate De Burghos, his associate, chieftain of his district, by the name of **THE MAC-WILLIAM**: while Bingham the queen's lord president of Connaught was totally destitute of such a military force as might enable him to exert his usual vigor against such outrages.

Moryson,
p. 34, 35.

THE queen and her ministers were justly alarmed at the intelligence of these hostilities, and convinced of the necessity of some vigorous exertion in defence of her Irish interests. Her ministers in this country had unwarily enflamed the spirits of the northern insurgents by overtures of accommodation, in which they discovered the weakness of government, and were consequently encouraged to propose their terms with greater arrogance. And although the queen affected to disapprove all dishonorable concessions, her deputy was yet instructed to practise with O'Donnel, and to endeavor to detach him from Tirone, who was considered as the secret spring of all the northern commotions. But what was still of greater consequence, two thousand veteran troops, who under their leader Norris had been distinguished in Brittany, and one thousand more levied in England, were now destined for the
Irish

Irish service: and as Russel had inadvertently solicited the queen that some experienced commander should be appointed to assist him in the conduct of a war which every day grew more considerable, Sir John Norris was appointed to repair to Ireland, a leader of such distinguished character as must necessarily eclipse the deputy; and was besides entrusted in his absence with the absolute command of all military affairs.

TIRONE justly dreaded these preparations, especially as it was the avowed intention of government to form a chain of forts round the territories of the disaffected lords of Ulster, so as to keep them in continual awe, and affectually to restrain their incursions. This earl, who knew the disposition of his countrymen, and that they were to be retained only by an appearance of activity and valor, determined to strike some sudden and important blow before the enemy should be strengthened: he ventured, on a frivolous pretence of injuries received from the English soldiers at Blackwater, to attack their fort, and to expel the garrison, "as carefully," saith Moryson, "as he would have driven poison from his heart." And as if the boldness of this outrage had confounded and distracted him, he wrote letters to the earl of Kildare to exasperate him against government, and to seduce him from his allegiance; he dispatched his emissaries to Spain with most pressing instances for immediate succours; and at the same time, when the deputy with his forces was now advancing on him, he, by other letters, professed his submission and attachment to the crown; imputing his late conduct to necessity and self-defence, entreating the lord general in particular, to entertain favourable sentiments of him, and not to drive him headlong into rebellion by a rigorous and unmerited prosecution. But Bagnal, his vigilant enemy, by contriving to intercept and secrete these letters, gave him a pretence for continuing his hostilities. The castle of Monaghan, where an English garrison had been stationed, was invested

Moryson,
p. 34 35.

A. D.
1595.

Camd.

Moryson,
ut sup.

Sullivan.
p. 139.

invested by the insurgents; and the attempts of Norris to relieve it produced some skirmishes, in which the danger and address of Tirone were the most remarkable. One Sedgrave, an English officer observing where he had taken his station, and was issuing his orders, assaulted and unhorsed him: the earl, in falling, contrived to seize his antagonist, and dragged him to the ground. The Englishman, who still had the advantage, prepared to dispatch him; but the earl, prostrate and incumbered as he was, contrived to prevent the blow, by plunging a dagger deeply into the body of Sedgrave.

Morys.
p. 36.

THESE petty hostilities were soon suspended by the weak and temporizing policy of the queen, impatient to disengage herself, by any means, from the disorders of Ireland. A commission arrived, whereby Wallop, the treasurer at war, and Gardiner, the chief justice, were empowered to treat with Tirone and his associates, to hear their complaints and to receive their overtures, in order to an effectual accommodation. The northern Irish obeyed the invitation, but peremptorily refused to meet the commissioners at Dundalk. The conference was held in open field, not as a submission of rebellious subjects, but a parly between contending leaders. Tirone first explained his grievances; complained of the injustice of Bagnal, in usurping a jurisdiction in Ulster inconsistent with his just rights; of his unreasonable and implacable resentment in attempting to separate him from his wife, and with-holding her portion; of his perfidy in secreting his letters to the state, and by a series of injuries forcing him to take arms, and to apply to the queen's enemies for protection. He required a full pardon for himself and followers; that they should be allowed the full and free exercise of their religion; that Bagnal should be compelled to pay his sister's portion, who had now sunk under the affliction occasioned by his cruelty; that his country should be freed from English garrisons and sheriffs; that

that his troop of horse should be restored to him ; and that all those who had ravaged his territory should be obliged to due restitution. O'Donnel next proceeded to expatiate on the treachery of Sir John Perrot, and the injuries he had received in a cruel and unmerited captivity. The severities of Fitz-William to O'Toole, Mac-Mahon, and O'Dogherty, were not forgotten. Every inferior chieftain had his grievances to urge ; and all concurred in the same general demand of a free exercise of religion, and an exemption from garrisons and sheriffs. They were heard with temper : some of their allegations were confessed to be just ; and some indulgence acknowledged to be reasonable. In the essential articles, they were informed, that no decision could be made, until the royal pleasure should first be signified. In the mean time some points were propounded on the queen's part, tending to suspend their hostilities till an equitable accommodation should be finished. It was demanded that the insurgents should lay down their arms, admit sheriffs into their country, repair the forts they had demolished, leave the English garrisons unmolested, restore what they unjustly seized, discover upon oath their transactions with foreign princes, and, begging pardon for their present rebellion, solemnly promise for the future to enter into no engagements against their sovereign. But these haughty lords, who in the condescensions of government discerned its fears and weakness, rejected such overtures with disdain ; and broke up the congress, consenting only to a truce of a few days.

THIS insolence of the Northern insurgents had a dangerous influence on the disaffected in other parts of Ireland. In Connaught the flame of war had been already kindled, and notwithstanding all the efforts of Sir Richard Bingham, the Irish gained advantages sufficient to enflame their insolence ; the disaffected of Munster secretly encouraged ^{Ib. p. 37,} by emissaries from Ulster, grew turbulent and ^{41.} alarming. And even in Leinster the petty Irish chief-

chieftains, fired by the example of the Northerns, boldly demanded a restoration of their ancient power and possessions, and extended their outrages from Wexford even to the walls of Dublin. These complicated disorders were to be opposed by an army, which, though lately reinforced, was still utterly inadequate to such a service; encumbered rather than strengthened by numbers of the Irish race, all of whom were suspected, and many really ill-disposed to the cause in which they were engaged. The English soldiers were naturally less robust and active, less patient of labour and distress, than their antagonists; and the air and food of Ireland ever proved unfriendly to their constitutions. Neither their provisions nor ammunition were duly supplied. Their general, the most distinguished soldier of his age, was but too sensible of these disadvantages; was provoked at finding himself so ill-supported, engaged in a country to which he was a stranger, and in a species of war to which he had been unaccustomed, attended at least with equal hazard, but less honor than those scenes of action in which he had acquired his glory; and piqued at the lord-deputy, who betrayed the utmost dissatisfaction, and most dishonorable envy, at his character and authority, and studied to controul and distress him.

NORRIS had judgment and equity to discern, that the hostilities of the Irish had been provoked by several instances of wanton insolence and oppression; and as the deputy declared for a rigorous prosecution of the rebels, he was the more tempted to adopt the opposite principle of lenient and conciliating measures; even though he had not duly weighed the hazard and toil of pursuing an enemy to their bogs and woods, repelling their tumultuary incursions, and guarding against sudden and desultory attacks. He marched however with the lord deputy to the borders of Tirone, at the expiration of the truce, with a force so terrifying to the Northerns, that the rebel earl abandoned the fort of Black-

Ibid.

Blackwater, set fire to the town of Dungannon, without sparing his own house, destroyed the adjacent villages, and retired to his woods, which then overspread those parts of Ulster, that have since experienced the effects of industry and cultivation. In this progress, Tirone and his principal associates were indicted, summoned, condemned in a regular procedure, and proclaimed traitors. But such was the distress occasioned by their laying the country waste, that the lord-deputy was soon obliged to return to Dublin, having first stationed garrisons at Armagh and Monaghan, which latter place had been reduced, and was now abandoned by the enemy. According to his instructions, Sir John Norris was left with part of the royal army, on the borders of Ulster, to prosecute the war against the Northerns, while the lord-deputy professed to march against the insurgents of Leinster.

WINTER now approached, a season when the Irish usually covered themselves in their retreats, without attempting any military operations. No enemies appeared; and Norris judged it expedient to keep his station without venturing to seek them out. In this state of inactivity, the Northern Irish had leisure to reflect calmly on their enterprize. Spain, their principal reliance, had not yet sent any succour. They were opposed by an experienced general, and a greater force than had usually been collected against them. They determined to recur to the arts of dissimulation, by which at least the time might be protracted, until the happy moment of a foreign invasion should arrive. Letters of penitence and submission were dispatched to the queen. At the same time Tirone made the most pathetic addresses to Sir John Norris, lamenting the condition to which he was reduced, by injustice and cruelty, and expressing the most ardent wishes to return to peace and allegiance. So plausible and so insinuating were his representations, that Norris was confirmed by them in his former sentiments of mo-

A. D.
1596.

Moryson,
p. 38.

deration, and even conceived pity and affection for this injured and unhappy lord. The queen, now principally attentive to the affairs of France and the progress of the Spanish arms in this country, was well pleased at any prospect of composing the vexatious broils of Ireland; and by her commission to Sir John Norris and Sir Geoffry Penton, her Irish secretary of state, empowered them to grant pardon to all rebels who should with due humility seek her royal mercy. Another congress was appointed at Dundalk, and here again Tirone renewed his professions of submission, imploring the queen's pardon, (as he expressed it) "upon the knees of his heart," and confirming his sincerity by the most solemn imprecations. His former petitions were renewed, and the rejection of them now received with more temper and submission. With a suspicious ease and readiness he promised to desist from aiding the rebels; to admit a sheriff into his country; to renounce the title of O'Nial; to confess his intelligence with foreign princes; to rebuild the fort and bridge of Blackwater; to supply the English garrison to be stationed there: to lay down his arms; deliver hostages; to pay a fine to the queen; and as to the enlargement of John O'Nial's sons, he consented that it should be referred to the queen's future pleasure, when she had first heard and understood their offences. O'Donnel, Magwire, O'Ruarc, and others of his confederates agreed to like articles, and made the like submissions. So that now the Northern war seemed at an end: a promise of pardon was delivered to each lord on his submission; of which proclamation was made to the queen's subjects, that they might not be molested by any act of hostility.

WHETHER these concessions of the Northern Irish were a premeditated scheme of perfidy and fraud, merely calculated to gain time; or whether they proceeded from despair of any succours from Spain, as Philip was now entirely engaged by the war in France; certain it is, that scarcely had the treaty

treaty been concluded, when the insurgents repented of it. The king of Spain, though he could not now spare, any considerable force for an invasion of Ireland, was yet desirous to encourage the malecontents of this kingdom; until he should be at leisure to derive some advantage from them. Three pinnaces ^{Morya.} from Spain arrived on the Northern coasts, with ^{P. 41.} some stores of ammunition, and letters from Philip to the Irish chieftains, exhorting them to persevere in their generous opposition to the English power, and assuring them of immediate support. The Irish fired with this interesting intelligence, were ashamed of their late concessions; spread it with eagerness ^{Cox.} and triumph through all their associates; and were ^{Camden.} impatient for some pretence to violate their treaty. Tirone, with his usual dissimulation, affected to transmit his letter to the lord-deputy and council, to demonstrate the sincerity of his submission; at the same time, he took care to convey the assurance of a speedy invasion to Pheagh Mac-Hugh, chieftain of the sept of O'Birne; and principal insurgent of Leinster; as well as to the disaffected of Mun-^{MSS.}ster; all of whom were exhorted to take arms, and ^{Lamb.} unite with the Northerns, for the assistance of Christ's ^{M. p. 258.} catholic religion.

In the mean time Norris, who imagined that he had restored the peace of Ulster, thought it necessary to march into Connaught, suppress the commotions raised in this province. The malecontents had here contrived to seize some of the English forts, and foiled the attempts of Bingham to recover them. Their numbers were so considerable, and their outrages so insolent, that Norris demanded some additional forces from the lord-deputy, as well as a supply of provisions, to enable him to pursue them with the necessary vigor. Russel, not displeased at his distresses, coldly replied, that the ^{Morya.} country was to supply the wants of his army; and ^{ut sup.} that as to men, he could not send them, as he himself intended to march into the West. And the united efforts

Cox.
Sulliv.

Rot. Can.
H. A. 39
Eliz.

efforts of the lord-deputy and general soon quelled the insurgents of this province. One castle only made any shew of resistance; where the Irish gallantly replied to Russel's summons, that they would not surrender, though his whole army were lord deputies; and accordingly obliged him to force it by storm. Others fled to their private haunts, or submitted; pleading in alleviation of their offence, that they had been driven to rebellion by the intolerable oppressions of Sir Richard Bingham. And so clamorous and confident were these charges, and with such attention were they received, that Bingham, in his impatience to justify his conduct, hurried without licence into England. The queen, instead of hearing his defence, ordered him instantly to prison; from whence he was conveyed to Connaught, in custody of Sir Conyers Clifford, who was appointed to succeed him as lord-president of this province. Commissioners were directed to hear his cause, in the place where his accusers had full opportunity of proving their allegations. He was acquitted, restored to favor, and afterwards employed by the queen.

Cox, ex
MSS.
Lamb.

Sulliv.
p. 144.

WHILE the male-contents of Connaught retired before the queen's forces, and reserved themselves for some favorable occasion for returning to the field, the chieftains of the North grew still more impatient of their late treaty, and studied pretences to rescind it. Tirone, in particular, complained of injuries and provocations: insolently adding to his list of grievances, that after the pacification of Connaught, the state had presumed to prosecute his friend and ally Pheagh Mac-Hugh, with others of the insurgents of Leinster. In revenge of this intolerable wrong, the earl harassed the English garrison at Armagh, cut off their provisions, and invested the town. Norris again marched to the northern borders. Before his arrival the garrison of Armagh had been obliged to capitulate, and were dismissed with honor and safety: and agreeably to that infatuated policy, which the general had

had himself but too much favored, a commission arrived from England for treating once again with the earl of Tirone, and accommodating the differences of the North by an amicable conference. The rebel earl had ventured on his petty hostilities merely to keep alive the zeal and spirit of his countrymen. The success of his practices in other provinces of Ireland, as well as of his negotiations with Spain, was as yet uncertain. He therefore gladly embraced the opportunity of delaying, and amusing the English government. He attended the com-Moryson missioners with all the affectation of humility and P. 43. resignation, repeated his solemn asseverations of the sincerity and integrity of his intentions, pretended to discover all the secret practices of his associates, and their correspondence with Spain; renouncing all his hopes of happiness both here and hereafter, if he were not truly and faithfully determined to approve himself a loyal subject to the queen, provided he might be pardoned, accepted as a subject, and protected from wrong.

A REPORT was now to be transmitted to the English ministry of this conference, and the professions of Tirone. The commissioners were to wait for new instructions. Hostilities were suspended: Tirone trained and exercised his men: a conflux of the disaffected from all quarters of the kingdom poured into his territory, were trained, and instructed in the use of arms. Emissaries were privately dispatched to raise the drooping spirits of the western Irish, to concert schemes of insurrection with the rebellious septs of Leinster, and to encourage the enemies of government in Munster, to revenge the severities they had endured, and to exterminate the new usurpers of their lands. Every day gave Tirone additional strength, and fairer prospects of success: so that when instructions arrived for holding a second conference, in which he was to be finally restored to favor, he recurred to his old pretences, A. D. of breach of promise on the part of government; 1597. that

that his hostages had not been exchanged according to agreement, nor restitution made for the ravages committed in his lands; and that he could not attend the commissioners with safety or with honor. This artifice produced a mean solicitation on the part of government to Tirone, that he would not wantonly reject the last offers of mercy and reconciliation which the queen would deign to make. He coldly replied, that he had little hope of any performance of articles, as he had been already deceived by confiding in the queen's officers: that the intentions of the lord-general indeed were ever just and honorable, but had been fatally counter-acted by the deputy: and as Sir John Norris was speedily to be removed from his command, and the grievances of the Northerners to be submitted to a new chief governor, whose principles and character were entirely unknown, he had the less reason to expect an equitable conclusion. He condescended however to propose a time of conference, which (he well knew) could not be accepted, provided it were held, contrary to express directions of the queen, as a parley in open field; not in a walled town; as a submission of rebellious subjects.

Nor was this crafty lord deceived in the intelligence which had encouraged him to this reply. The English ministers were astonished and provoked that such a commander as Norris had not gained some brilliant and important advantages in Ireland. They considered neither his wants and difficulties, nor the nature of the service in which he was engaged. And to the imperious spirit of the queen, the ill success of those conferences with Tirone, which the general had advised, was particularly mortifying. The earl of Essex, her distinguished favorite, had been the rival, and was the enemy of Norris. By his practices, a new lord-deputy, lord Burch, a man of sufficient abilities in war, was sent into Ireland with full powers, both in the civil and military affairs. On his arrival, Sir John Norris

was

was abruptly ordered to his government of Munster; where the anguish of disappointment and disgrace so wrought on the sensibility of this gallant leader, that within the space of two months, without any apparent malady, he suddenly expired in the embraces of his brother.

LORD Burgh entered on his government with a full persuasion of the futility and danger of listening to the insidious professions of Tirone, or hoping to terminate the disorders of Ireland by conferences, and ignominious concessions. He had been instructed, and was resolved, to prosecute the rebels vigorously. He deemed it expedient, however, at the instances of Tirone, to grant a cessation of arms for one month, and employed the interval in collecting his forces, and concerting his operations. The earl of Kildare, the baron of Trimbleston, and Sullivan, other lords of the Pale, attended his standard with p. 146. their followers: and as he determined to pierce to the very heart of the northern insurrection, Sir Conyers Clifford was ordered to march his forces through Connaught, and meet the deputy at the fort of Blackwater. O'Nial (for so was the earl of Tirone styled by his countrymen) acted on his part with equal vigor. He lay with his main body strongly entrenched near the town of Armagh. Tirrel, a degenerate Englishman, his associate, was sent into Leinster with a troop of five hundred men, to encourage the rebellious septs to make a powerful diversion in this province. His emissaries in Connaught animated the malecontents to oppose the intended progress of Sir Conyers Clifford. And the first commencement of hostilities seemed to pre-
sage a favorable issue to the Irish. A son of lord Trimbleston was detached with a thousand men to attack Tirrel and his party: but the experience and address of the rebel leader supplied the deficiency of his numbers; he gave the royalists a total defeat, and sent their young commander a prisoner to O'Nial. Clifford, who led his small body of seven hundred

Moryson, p. 50. hundred men towards the northern province, found himself suddenly arrested in his progress by two thousand desperate rebels, whom he was utterly unable to encounter. His only measure was to retreat; and in this his conduct was so judicious and successful, that, although incessantly harassed by the enemy, in a march of thirty miles, he yet regained his quarters without any considerable loss.

Sulliv. p. 147. LORD Burgh, undaunted by these mortifications, marched into Ulster, and resolutely attacked the northern army in their entrenchments. Their resistance was obstinate; but the English forces persevered, and were successful. They forced their way to the fort of Blackwater, which was easily taken: but the rebels again appeared and renewed the attack; nor were they repelled without some loss and danger. The deputy having stationed an English garrison in the fort, resolved to pierce to Dungannon, the chief residence of O'Nial. The Irish forces occupied the defiles, and seemed determined to oppose his passage. But the sudden death of lord Burgh necessarily slackened all military operations. The command devolved on the earl of Kildare, who deemed it most prudent to maintain the ground already gained. Nor did the earl long survive the lord deputy. His two foster-brethren had fallen, in rescuing him from the enemy; and such was the tenderness of affection arising from these artificial bands of affinity, and such was his sense of their fidelity, that he pined with affliction, and died, lamenting their fall.

Moryson, p. 51. On the death of lord Burgh, the council, as usual, committed the reins of government to Sir Thomas Norris, lord-president of Munster. But at his own request the queen immediately appointed a new administration. The civil government was committed to Loftus, archbishop of Dublin, and chancellor of Ireland, and to Sir Robert Gardiner, chief justice; the military was entrusted to the earl of

of Omond with the title of lord-lieutenant of the army. So alarming were the disorders of Leinster, that the new general thought it necessary to confine himself to this province; while Sir Henry Bagnal was detached to the borders of Ulster to awe the Northerns, and support the garrisons of Armagh and Blackwater. But O'Nial, who dreaded that vigor which he had just experienced from English forces, found it expedient to recur once again to his former artifices. He affected particular satisfaction that so considerable a share of authority in Ireland had been committed to the earl of Ormond, from whom he looked for the regards of a countryman; and addressing himself in his usual terms of humiliation to this lord, lamented his situation, pleaded his grievances, and implored his favourable interposition with the queen, for pardon and protection to a repenting offender, whose foul relapses could not indeed be justified, but were palliated by the wrongs he had sustained. 'This new overture to an accommodation was transmitted to Moryson, the queen and Ormond empowered to confer with p. 52, 53. him at Dundalk. Here it was agreed that a cessation of arms should be made for eight weeks, in order to give the northern lords an opportunity of stating their grievances at large, and transmitting them to the queen. Tirone on his part, engaged to recall his forces from Leinster; to hold no correspondence with Spain during the cessation, but to discover any intelligence he might receive from thence; neither to commit, nor countenance any outrage, nor aid those who should presume to violate the truce; to give safe-conduct to her majesty's officers; to victual the fort of Blackwater; and, as a token of his humble duty, to deliver forty beeves, for the use of the garrison. Ormond promised that the Northerns should have the same permission to purchase provisions in the Pale, which the queen's subjects were to be allowed in Ulster; that none of Tirone's associates depending on the truce

should be seized by the state, without his consent; and that the soldiery should be restrained from all violence and rapine.

In the course of these treaties, so disgusting in the recital, another conference succeeded, in which the earl was informed of the conditions on which the queen was pleased to grant her gracious pardon to him, and all the inhabitants of Tirone. He was required to renew his submission publicly and solemnly to detach himself from his confederates, disperse his forces and dismiss all strangers; to renounce the title of O'Nial, with all its pretended rights and jurisdictions; to repair the damages formerly made by him in the fort and bridge of Blackwater, and to furnish the garrison with provisions at an equitable rate; to discover all his transactions with Spain; to admit a sheriff into his country: to pay a fine in satisfaction for his offence; to deliver up all traitors who should attempt to conceal themselves in his lands; to surrender the sons of John O'Nial into the hands of Ormond: and as a surety for the faithful performance of these articles, to make his eldest son an hostage.

Moryson,
p. 55.

Ib. p. 56. The humility of Tirone was by this time considerably abated. He canvassed all these articles; objected, and demanded explanations. He could not engage to detach himself from his confederates, unless time were granted to them, to come in and submit, so that they might not charge him with a clandestine desertion of their interests; if he dismissed all strangers, he expected a safe-conduct for them: while he promised to renounce the name of O'Nial, he reserved the rights usually annexed to the chieftainry of his country. As he had not received the sons of John O'Nial from the state, he peremptorily refused to give them up. He agreed to receive a sheriff, but required that a gentleman of the county only should be chosen to this office; and that the appointment should for some time be deferred. In consenting to deliver up all disloyal persons

persons who should conceal themselves in Tirone, he excepted those who sought refuge with him, in a cause of conscience; and as to the demand of his eldest son, he utterly rejected it. Thus did he dictate the conditions on which he would accept his pardon. His pardon, at the pressing instances of the earl of Ormond, received the great seal; and to confirm the hopes entertained by the queen and her ministers of a speedy restoration of tranquillity ^{Moryson,} in Ireland, O'Ruarc, the principal insurgent of ^{p. 54.} Connaught, made an humble submission to Sir Conyers Clifford, and promised for himself and all his followers faithful allegiance to the crown, and all the duties of good subjects.

BUT these hopes, so inconsiderately entertained, had the mortification of an immediate and a severe disappointment. The easiness with which the queen listened to the fair professions of a man whose insincerity had been repeatedly discovered, rendered her administration in Ireland contemptible to its enemies; and had for some time encouraged the disaffected to rebel, when a slight submission at the worst, could purchase pardon and security. Tirone, with an affected disregard of that mercy which he had so easily obtained, or rather extorted, neglected to plead his pardon, or to proceed through those forms of law necessary to reinstate him in the condition of ^{ib. p. 57.} a loyal subject. In the late conference he had artfully demanded a cessation for one year; expecting, probably, that by this time the king of Spain ^{Carte's} would have opportunity to send him succours; and ^{Intr. to} that the queen, who evidently regarded the affairs ^{Life of} of Ireland with aversion and disgust, as a grievous ^{Orin.} embarrassment to her favorite pursuits, would inadvertently suffer her forces in this country to waste, ^{p. 52.} in a service of distress, and an unfavorable climate. And although he could obtain but a truce of two months, yet he was not ignorant, that the present shattered condition of the army obliged Ormond to grant

grant even this short respite. Had he been gratified in his first demand, his dissimulation might have been continued; but now, having discovered the real weakness of his enemy, he determined to recommence hostilities, without the slightest regard to promises or treaties, which he considered as mere temporary expedients.

Sulliv.
.p. 148.

His first attempt was to cut off the English garrison of Armagh from their usual supplies of provision; and for this purpose he encamped between this town and that of Newry, where Bagnal was stationed with his forces. His brother Tirlaugh had for some time served in the English army: and now Conn, his bastard-son, on some disgust, deserted to Bagnal. By their guidance he was enabled to pass by the Northerns, through an unfrequented road, and not only to relieve his countrymen in Armagh, but to make an attack upon the camp of Tirone, which created some dismay and confusion, though not attended with any considerable advantage. Tirone retired; and as Bagnal was too weak, and too cautious, to venture on any considerable progress, the rebel earl proceeded to attack the fort of Blackwater, his great obstacle and disgrace. The works were rude and unfinished; but a spirited garrison, commanded by a valiant and experienced officer, easily foiled the attempts of an enemy, whose violence was greater than their skill. Tirone determined to reduce them by famine; and they endured their severities with a manly resolution. The state was informed of their danger and distress; and as the earl of Ormond was employed in restraining the rebellious septs of Leinster, Bagnal was reinforced, and directed to relieve the fort. The Irish writers inform us that he commanded four thousand five hundred foot, and five hundred horse, composed of those English veterans who had served under Norris, both in France and Ireland, the forces of the Pale, and several well-affected Irish clans. At a distance

Moryson,
p. 58.

Sulliv.
tom. iii.
l. iv. cl. 5.

distance of three miles from the fort, he found the northern army drawn up to oppose him, composed of the forces of Tirone and Tirconnel under their respective leaders, and some troops of Connaught commanded by THE MAC-WILLIAM, amounting to four thousand five hundred foot, and six hundred horse. The generals on each side were enflamed with mortal enmity against each other; and the superstitious Irish were driven even to phrenzy by their priests, who assured them from old prophecies that this day would prove fatal to heresy. Their assault was violent; and the dispositions of Bagnal, we are told, were by no means judicious. In the ^{Camden.} heat of the engagement, an accidental explosion of some powder cast the royalists into a dangerous disorder: and was immediately succeeded by the death of their general, who, in raising his beaver, ^{Sullivan.} received a fatal shot in the forehead. The victory ^{sup.} of the Northerns was complete. Fifteen hundred soldiers of the royal army, and thirteen gallant officers, were slain in the field; and that the slaughter was not still greater, is imputed by the English ^{Moryson.} writers to the bravery and address of Montague, ^{p. 59.} commander of the cavalry; by the Irish, to the gallantry of O'Reilly, a loyal Irish chieftain, who lost his life, in covering the retreat. The Irish ^{Sullivan.} acknowledged no greater loss than that of two hundred slain, and six hundred wounded. They reckoned thirty-four ensigns taken, with other honors of war. But what was of real consequence, they became masters of all the artillery, ammunition, and provisions of the royal army, together with a quantity of arms. The fort of Blackwater was immediately ^{A. D.} rendered, and the remains of the royalists who had ^{1598.} fled for shelter to Armagh, were soon obliged to evacuate this town.

INCONSIDERABLE as this victory may be deemed, by those who form their ideas from extensive scenes of action; in Ireland it was great, decisive, and momentous. The illustrious O'NIAL was every where

Sullivan.

Moryson,
p. 62.Sullivan.
p. 157,
58.

where extolled as the deliverer of his country: and the disaffected in all quarters condemned their own weak and passive conduct, which had deprived them of the like glory. Those of Ulster who had wavered in their allegiance, now declared at once for their countrymen. In Connaught the revolt was general. The Irish septs of Leinster, who had hitherto confined themselves to some short occasional insurrections, now broke out in full fury, of rebellion, and bad defiance to English government. The chieftain O'Moore had regained entire possession of Leix, his antient patrimony; and was enabled, at the instances of Pierce Lacy, a rebel of English race, and agent of O'Nial, to lead some forces into Munster, in order to raise an insurrection in this province. Various were the dissatisfactions and complaints of the great Irish leaders of the South; and those whose lands had been forfeited in the Desmond rebellion, harboured an implacable resentment against the state. Those who had undertaken the plantation of these lands, either entirely abandoned them, or neglected to fulfil their covenants: disaffected Irish swarmed in their estates; and instead of being provided with two thousand fighting men, no more than two hundred of English birth could be found among them, on the first entrance of the rebels into Munster. Sir Thomas Norris, the lord-president, deemed it necessary to retire to Cork, and not without being harassed in his retreat by O'Moore. The flame of insurrection was instantly lighted up, and spread through all the southern province. The lords of Lixnaw, Fermoy, Mountgarret, Cahir, united with the Irish clans against the queen; those Geraldines, who were known by the fantastical Irish titles of KNIGHT OF THE VALLEY, and THE WHITE KNIGHT, joined in the rebellion: and to give their party greater weight and popularity, James, nephew to the late unhappy lord Gerald, was by the agents of Tirone, solemnly

solemnly invested with the title of earl of Desmond, which together with his lands, now to be recovered, ^{Moryson, p. 61, 62.} he stipulated to hold in vassalage to THE O'NIAL. Having no enemy to encounter, the rebels every where committed the most desperate and abominable outrages; and particularly on the English undertakers, who fled from their dwellings, even when flight was less dangerous than defence; and became a prey to their vindictive enemies.

Nothing could be more melancholy, nor apparently more desperate, than the present condition of English government. The royalists, cooped up in towns, acted every where on the defensive, harassed and insulted by the enemy, to whom the whole open country was abandoned, and who rioted in all the enormities of revenge, lust, and rapine, in every quarter of the kingdom. The chieftain of Tirone, who claimed the honor of all this havock, dispatched his emissaries to the king of Spain, magnifying his successes, professing his attachment, and requesting succours for the accomplishment of a work hitherto attended with such amazing success; and at the same time, with a ridiculous insolence, attempted to amuse the earl of Ormond by new overtures of submission. Repeated dispatches were sent into England, representing the dangerous situation of Irish affairs, with pressing instances for additional troops. The queen, more provoked at the vexatious burden, than solicitous for the real welfare of her Irish dominions, condemned the conduct of Ormond in not undertaking the northern war in person, instead of entrusting it to Sir Henry Bag-^{Cox.}nal; ordered him passionately to purge the army of Irish; named Sir Richard Bingham, now restored to favor, to succeed this unhappy officer as marshal of Ireland; and on his sudden death, appointed Sir Samuel Bagnal to lead two thousand men into this kingdom. They had been destined to form a garrison at Loughfoyle on the back of the northern rebels; but now it was deemed necessary

sary to station them in Leinster, in order to strengthen the heart of the kingdom.

Rymer,
t. xvi.
p. 336.

BUT such a provision was by no means thought adequate to the pressing necessities of Ireland. At a time when this country was one general scene of insurrection, Elizabeth received intelligence from the king of Scots, that Philip of Spain was preparing for a powerful invasion of her dominions; that forty thousand men were raised for a descent on England, as was supposed; and twelve thousand destined for the assistance of her rebel-subjects in Ireland. The preservation of this kingdom was now become a serious object of attention in her councils; and so forcibly were they impressed with the danger and futility of all temporizing expedients, that it was universally agreed that nothing but a formidable army, and an experienced general, could preserve the realm of Ireland from the enemies of the crown.

Camden.

THE earl of Essex had for some time captivated the queen, by the charms of his person and conversation. And although he had lately, in a consultation on Irish affairs, provoked her to an intemperate blow, by the unguarded haughtiness of his demeanor, and passionately expressed his resentment at this insult, yet he was restored to grace; at once the most popular lord in England, and the greatest favorite with his sovereign. The death of lord Burleigh left him without any rival in her confidence; though still exposed to the envy of aspiring courtiers, who interpreted all his actions with a secret malignity, while they had neither power nor confidence to attack him openly. On the present deliberations about the affairs of Ireland, the queen had proposed to commit the government of this kingdom to Blount lord Mountjoy. Essex warmly opposed it. He objected that this lord had not sufficient experience in the affairs of war to be entrusted with a service of such consequence, and that his retired and studious life was ill calculated

calculated for a course of vigor and activity. He inveighed bitterly against the conduct of those who had lately commanded the queen's forces in Ireland. "They had suffered themselves to be amused with insidious overtures and promises; they had neglected to strike at the very head of the rebellion; and instead of planting their garrisons in the North, so as to hem in the rebels of this province, and keep them in perpetual agitation and distress, they had wasted the queen's forces in unnecessary expeditions, without glory to themselves, or advantage to the crown." The conduct of the Irish war, he observed, necessarily demanded a brave and skilful general, one of weight and dignity, one known to possess the confidence of his royal mistress, and who must therefore stand superior to the petty factions of Ireland, and every where command the due respect and deference. So distinctly did he mark out his own character, that his desire of being invested with the government of Ireland could not be mistaken, and both his friends and enemies concurred in rendering his desire effectual. Whether he imagined that his interest with the queen was too firmly established to be at all affected by any short absence from her court, and therefore the more freely indulged his passion for military glory; or whether he listened to those creatures, who in the ardor of their attachment, pleaded his right of succession to the throne: and therefore wished to stand at the head of a powerful army; certain it is, that he received the pressing instances of the court to undertake the conduct of Irish affairs, with an affected coyness, and secret pleasure. His friends hoped that after a short absence, he should return with a considerable accession of honor, influence and power: his enemies flattered themselves, that if once removed from court, his engaging qualities would be gradually effaced from the mind of Elizabeth, and that his pride and intemperance would then make their full impression

Rymer,
t. xvi p.
66.

on her imperious spirit. Had they really dreaded any schemes of disloyalty in this lord, their duty obliged them to oppose his being placed at the head of an army. But as their sole object was, to give a free course to his confidence and precipitation, so as to make him author of his own ruin, they concurred with the flattery of his friends, and the partiality of the queen; and Essex, at the united instances of all, consented to assume the government of Ireland. His patent was granted with the title of Lord Lieutenant, and with more extensive power than almost any governor had enjoyed; besides an extraordinary authority of pardoning all treasons, even such as touched the queen's person, of removing officers and conferring dignities, he was left to conduct the war at his own discretion, and furnished with an army of twenty thousand men, such a force as had not yet been sent into Ireland, and such as those who were strangers to this country, conceived to be utterly irresistible.

Camden.

THE insurgents of Ireland seemed not dismayed by this formidable preparation; they even took occasion from thence to confirm the inveteracy of the disaffected, and to persuade the wavering, that their very being now depended on uniting bravely with their countrymen. "Our grievances," said they, "have been frequently laid before the throne, but without redress or notice. Treaties have been violated; submissions received, with a shameful and contemptuous disregard to the most solemn promises; our fortunes have been torn from us; our consciences have been enslaved; but our oppressors, not yet satiated, now prepare to exterminate the wretched natives who have presumed to assert their liberty, and thus to erect a tyrannical dominion even over those who call themselves English subjects, and are so infatuated, as not to discern, that the present is the common cause of all." Such was the alarm conceived or affected in Ireland, that the queen thought it necessary, by proclamation, utterly to disavow all in-
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tentions against the liberty of a country, where she had so great a number of loyal subjects ; the war she declared was to be directed only against the obstinately rebellious ; and that her mercy should be still extended to those who sought it by sincere penitence and submission. Yet such was the effect of these factious clamors, or such the unshaken obstinacy of the insurgents, that when Essex arrived at Dublin in all the pomp of a military hero hastening to assured victory, he learned that the rebels of the several provinces exceeded the utmost number of the forces assigned to him, were of abler bodies, more patient of the fatigues of war, and for the most part, better trained to arms, than his new levies : that the rebel-earl of Tirone, who had called a council of war on his arrival, resolutely determined to oppose the queen's forces in the North, with a body of six thousand men ; while O'Donnel, with four thousand, was to carry on the war in Connaught ; that the rebels of Munster had bound themselves by a solemn oath to be faithful to their cause ; that not one of the insurgents, as was usual at the appearance of great military preparations, deigned to submit and sue for pardon ; and that even those subjects who had not swerved from their allegiance, betrayed manifest signs of disaffection and reluctance to serve the queen ; and in many instances were known to hold correspondence with the rebels,

A. D.
1599.
Moryson,
p. 77.

In such alarming circumstances, the earl commenced his administration in such a manner, as gave the strongest reason for suspicion, that his sole object was to strengthen his own personal power and influence. Contrary to the queen's directions, he made his intimate friend, the earl of Southampton, general of horse ; and in despite of her remonstrances, continued him in this command. With equal contempt of his instructions, he lavished the honor of knighthood, so highly estimated at this time, on every person whom he thought worth purchasing to his party. He had been expressly com-

mauded,

Camden.
Moryson.

Sullivan,
p. 163.

manded, agreeably to his own sentiments declared in council, to strike directly at the northern rebels; and at the same time to plant garrisons at Loughfoyle, and Ballyshannon, so as to surround them with his forces. But the Irish privy-counsellors, many of whom were deeply interested in the new-planted lands of Munster, urged him to turn his arms to the relief of this province; and professing deference to their opinion, he marched into the South. In his passage through Leinster, he had the mortification of being considerably harassed by O'Moore, the chieftain of Leix. Such petty incidents are disregarded by the English writers; but the Irish boast, that their countrymen fell upon his rear with great advantage, killed a number of his men, and several officers; and that from a quantity of plumes of feathers taken from his gay soldiers, the place of action was called the **PASS OF PLUMES**. He arrived at his destination, only to lay siege to a castle belonging to lord Cahir; and by the opposition he received from the titular earl of Desmond, ten days were wasted in the reduction of it. So confident were the enemy, notwithstanding the inferiority of their numbers, that it was resolved to break from their retreats suddenly, and to attack different bodies of his army at once: but by some disagreement among their leaders, the scheme miscarried; and Essex was left to march through the province without opposition, and waste his forces in a fruitless pursuit of the rebels.

Moryson,
p. 78, 79.

THE northern insurgents in the mean time proceeded with address and vigour. The chieftain of Tyrone was indefatigable in confirming his adherents, and defeating every attempt to seduce them. He stationed parties on the passes of Loughfoyle and Ballyshannon, to oppose any English garrisons that might attempt to settle there. He received ammunition from Spain; and, in concurrence with O'Donnell, hired a considerable body of Scottish islanders to strengthen their forces, which by this time

time amounted to nine thousand foot, and fourteen hundred horse. He chose an advantageous ground between Dundalk and Newry, where he lay strongly entrenched with his main body; declaring his resolution of giving battle, and his confidence of success. Even the rebels of Leinster, though less numerous, had now learned to look on their enemies without terror. About six hundred of the queen's forces were encountered by the sept of O'Byrne; and instead of bravely defending themselves against inferior numbers, were seized with a sudden panic, and shamefully defeated. And when Essex returned into Leinster with an enfeebled and diminished army, he could express his vexation only by decimating the unfortunate troops, cashiering their officers, and executing the chief delinquent.

EVERY instance of his misguided conduct, and every mortification of his arms, were received with delight by his enemies in England. The sanguine hopes which Elizabeth had conceived of her favourite were entirely defeated, and every artifice was used to exasperate her disappointment. The earl had written to the queen from Munster, in terms, totally different from those which his rash presumption had dictated in England. He now expatiates on the superiority of the enemy, represents ^{Moryson, p. 80.} the disaffection as general, arising from an aversion both to the religion and government of England; hints at the expediency of breaking the rebels by secret practices; at the necessity of hunting out their priests, the chief agents in cementing them: recommends it to the queen, if she would have a strong party among the Irish, to hide from them all purpose of establishing English government, till their strength should be completely broken: advises that the coasts be guarded; the towns occupied by strong garrisons, and prevented from supplying the rebels: and upon comparison of the advantages and disadvantages of the state, expresses his confidence, that
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although the rebels be superior in number, have abler bodics, and perfecter use of arms, yet as the queen commands the towns and champaign countries has a brave nobility and gallant officers, may cut off the enemy's provisions, and lay their territories, waste, victory must in the end be certain, though the work of care, expence, and time. He concludes with a warm expostulation on the practices of his enemies, and the impression they have made upon the queen; with passionate expressions of fidelity and attachment to her service.

Moryson,
p. 86.

THIS was answered by a sharp reprehension of his southern expedition, and a peremptory mandate to proceed against the insurgents of the North. The earl pleaded the advice of the Irish council, who by their experience seemed most capable of directing his operations; and promised to march immediately against Tirone. Scarcely had his dispatches been sent away, when by other letters he declared, that for the present he was obliged to make an expedition into Leix and O'Fally, to suppress the commotions of Leinster; and that, in order to enable him to proceed against the Northerns, it was necessary to send out of England an additional reinforcement of two thousand men. The queen was astonished and confounded. The enemies of the earl of Essex, who determined that he should not be denied any means of success he could devise, prevailed on her to grant his additional demand; and Essex prepared for his northern expedition,

ib. p. 87. SIR Conyers Clifford, lord-president of Connaught, was ordered to draw his forces to Beleek, in order to make a diversion on that side, while Essex made his grand attack upon the rebels. He obeyed, and marched with fifteen hundred foot, and about two hundred cavalry; when O'Ruarc, one of the rebel-leaders, issuing suddenly from his ambush, with no more than two hundred men, attacked the party in a mountainous and embarrassed situation, cast them into confusion, killed one hundred

dred and twenty, among whom Clifford himself, and some other officers, fell at the first onset, and pursued his victory, till by the valor of the horse he was again driven into his woods. But the queen's forces deprived of their general, and dreading to be again attacked by O'Donnell, instead of pursuing their intended course, deemed it necessary to return to their garrison. The loss in this encounter was of little moment, compared to the impression made on the minds of the soldiery. The English levies ^{Moryson,} shewed the utmost reluctance to march through a ^{p. 90.} strange country, where at every step they were liable to be surprised; and deserted in considerable numbers. The Irish royalists despised an unsuccessful general, and fled to their countrymen. Essex now wrote to England, that the whole number of forces under his immediate command amounted to no more than four thousand effective men; that all his intended enterprises must necessarily be suspended, and that for this season he could but draw towards the borders of Ulster three thousand five hundred foot, and three hundred horse. To justify this conduct, his letters were accompanied with the ^{ib. p. 82.} opinion of the principal officers, subscribed and attested.

WITH this force the earl marched to the northern borders. Tirone, who, besides his expectations of powerful assistance from Spain, knew that the most effectual means of ruining the royal army was by protracting the war, determined to recur to his old artifices. He appeared with his forces at some distance, and sent a messenger to Essex to desire a parley. He was answered that the lord lieutenant should meet him next morning at the head of his army. He again entreated for a conference, repeated his assurances that he would cast himself upon the royal mercy; and at length obtained permission to attend the earl of Essex at a ford near the principal town of the county of Louth. There was ^{MS. Trin. Dub.} one Thomas Lee, who had for some years served in

Camden.

in the Irish wars with good credit, a creature of the earl, and the intimate of Tirone. He had ventured in the year 1594, to address a letter to the queen, in which he fully stated the wrongs and grievances of this lord and insisted upon the sincerity and loyalty of his dispositions. This man was busily employed, on the night preceding the intended conference, in passing, between the two generals, and holding private interviews with each; a circumstance which did not escape the enemies of the earl of Essex in England, who had their spies in his very camp. And still to encrease their suspicions, the earl deigned to confer for a considerable time with Tirone, without any witness of their parley. The northern chieftain had an insinuating and flattering address. While Essex stopped at the bank of the river to receive his overtures, with the stateliness of a superior, the earl plunged into the stream up to his very saddle, as if with an impatience to cast himself at the feet of this illustrious governor. He explained his grievances with a well dissembled humility: possibly was heard, not without some favor and partiality; and, well informed of the character of Essex, seems to have gradually led him into a familiar and confidential strain of conversation, in which the lord lieutenant incautiously laid open some of the extravagant and crude schemes of his ambition. At least it is confessed, that Tirone assured him, that if he would take his direction, he would make him the greatest lord in England; and that shortly after this conference, he declared to his followers, that new disorders were soon to arise in England, which would require his presence in that country. When this private interview had been carried on for a considerable time, Essex at length called on Southampton, and five other principal officers to attend him. Tirone on his part summoned his brother Cormac, and an equal number of his party.

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THE conference was now opened in due form, with sufficient witnesses on each side. Tirone repeated the grievances which had induced the Northerns to take arms, and proposed the conditions on which they consented to return to their allegiance; a general amnesty, a free exercise of religion, the restoration of their lands, and an exemption from English government. Essex promised to transmit their desires to the queen, and was even ^{Moryson,} accused of promising to prevail on her to grant ^{P. 90.} them, as highly equitable and reasonable. In the mean time it was agreed, that a truce should be made for six weeks, to be renewed from time to time for the same term, leaving each party at liberty to renew the war on fourteen days previous notice; and if any of the confederate Irish should refuse to adhere to this agreement, Tirone engaged to leave them to be prosecuted by the lord-lieutenant at his pleasure.

THIS accommodation, made with a faithless and insidious enemy, was not necessary to complete the mortification of the queen, and the triumph of the enemies of her favorite. She did not impute the futile and dishonorable procedure of the earl to any deficiency of spirit; she dreaded some clandestine scheme not yet unravelled; she saw the whole folly of first provoking a nobleman of a towering and impetuous spirit, and then entrusting him with a dangerous authority. She was heard to lament that Essex was possessed with designs quite ^{Camden.} different from the service of his queen and country. Though urgently pressed to recal him, she would not venture to tempt his violence by such a measure. She contented herself (before she had yet heard of the cessation made with the Northerns) to address a letter to her Irish governor and council, in which she enlarged on all the misconduct of the war, in such stately terms of indignation and resentment, as ^{Moryson,} suited an offended sovereign. Every word pierced ^{P. 91.} deeply into the heart of Essex; and as he imputed the whole to the practices of his enemies, his im-

patience burst out into the most extravagant menaces of revenge.

Camden.

His scheme was nothing less momentous (and he had entertained it for some time) than that of marching into England with the flower of his army, and executing his vengeance by force of arms; confident that his popularity would command numbers; and that in a kingdom which harboured many secret male-contents, they, who had no personal affection for the Earl of Essex, would yet crowd to his standard for the sake of innovation. The first suspicions of this design were carefully conveyed to the English court, by men purposely employed to watch every word and action of this earl. A rumour, industriously propagated, that the king of Spain meditated an invasion of England, was made a pretence for suddenly levying six thousand men in London, of whom three thousand were appointed to guard the queen's person. Intelligences less alarming were received from Ireland; and these levies were speedily disbanded. The temperate counsels of the earl of Southampton, the intimate friend of Essex, and of Sir Christopher Blunt, who was married to his mother, served to allay the first fury of his resentment: they urged the odiousness, iniquity, and disloyalty of his design, and persuaded him to adopt less obnoxious measures. He had the precaution soon after his arrival in Ireland, to obtain a warrant from the queen, empowering him at any time, without waiting for especial summons, to repair to England, and delegate his government to two lords justices; provided that he should never adventure to return, until the kingdom should be so settled, that no danger might arise from his departure; a matter whereof he was commanded to take especial care, as he would answer it. He determined to avail himself of this warrant, although the queen's last letter expressly directed him to attend to the affairs of his government. He recollected that the earl of Leicester had returned from
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Rot. Can.
Hib. 41.
Eliz.

the Low Countries contrary to command, had made his peace with the queen, and confounded his enemies. Hoping no less success, he suddenly departed with some few gentlemen in his train, leaving the government to the chancellor Loftus, and Sir George Carew; appeared at court before his intentions were suspected; rushed through the apartments, covered with dust and sweat, and surprised the queen, who was newly risen, and dressing in her bed-chamber, by falling on his knees before her, and kissing her hand. In the first unguarded emotions of her heart, she forgot his errors, and received him graciously. But when, on serious recollection, her pride was awakened, and her policy found leisure to operate, her demeanor became totally changed; she commanded him to confine himself to his chamber, until her further pleasure should be known. She directed her council to examine him; and as the explanations of his conduct were by no means satisfactory, he was committed to the custody of the lord-keeper.

Winwood

Camden.

INSTEAD of pursuing this unhappy lord through the vicissitudes of his fortune, down to his fatal catastrophe, we are necessarily confined to Ireland, and the effect which his departure produced on the disorders of this kingdom. That the Irish insurgents had at all sustained the storm of such an armament as Essex had led against them, was no inconsiderable encouragement to their rebellion; as it was not probable that England should ever make any more formidable effort to reduce them. Tirone, who had not only been unassailed, but admitted to treat on terms of equality with the queen's general, felt his own consequence; extended his views and pressed on, indefatigably, in what he deemed the path of honor. Scarcely had the earl of Essex returned to England, when new supplies of money and ammunition arrived from Spain, and new assurances that the northern Irish should soon receive a powerful reinforcement from this country. Don Mattheo Oviędo, a Spanish ecclesiastic

Morys.
p. 102,
Sulliv.
p. 167.

astic, on whom the pope had conferred the title of archbishop of Dublin, arrived with these supplies; and as a token of the paternal affection and extraordinary reverence of the pontiff for the prince of Ulster (as Tirone was called) presented him with an hallowed plume, which the holy father gravely declared to be the feathers of a phoenix.

Morys.
p. 101.

ELEVATED by this flattering mark of attention, Tirone now declared himself the champion of the holy faith; and in full confidence of success, soon after the expiration of the first period of his truce, recommenced hostilities. The royalists, who were not well prepared to oppose him, expostulated on this violation of his treaty. He coldly replied that he had given the necessary notification of his intentions; nor was it in his power to recall them, as his confederates had been dispatched into different quarters of the kingdom to renew the war. The earl of Ormond, who had been again appointed lord-lieutenant of the army, now proceeded to make head against the Northerners with such forces as he could collect; when Tirone happily deemed it expedient to parley; and, after some arrogant menaces, which were retorted with due spirit, to renew the cessation for a month. In this interval, the rebel lord, whose consequence increased daily, published

Carte's
Introduc.
p. 60.

MS. Trin. a * manifesto addressed to all his countrymen, exhorting

* It was conceived in the following terms.

" Using hitherto more than ordinary favour towards all my countrymen, both for that you are generally by your professions Catholics, and that naturally I am inclined to affect you, I have for these and other considerations abstained my forces from attempting to do you hindrance; and the rather for that I did expect in process of time you would enter into consideration of the lamentable estate of your poor country most tyrannically oppressed, and of your own gentle consciences in maintaining, relieving, and helping the enemies of God and our country, in wars infallibly tending to the promotion of heresie.

" But now seeing you are so obstinate in that in which you have hitherto continued, of necessity I must use the severity against you,
whom

horting them to forsake the shameful cause of heresy, which they had so long abetted, or at least not opposed; to take arms and unite with him in defence of

whom otherwise I most entirely loved, in reclaiming you by compulsion, when my long tolerance and happy victories by God's particular favour doubtlessly obtained, could work no alteration in your consciences.

"Considering notwithstanding the great calamitie and miserie whereunto you are most likely to fall, by persevering in that damnable state, in which hitherto ye have lived, having thereof commiseration, hereby I thought good and convenient to forewarne you, requesting everie of you to come and joyn with me against the enemies of God and our poor country. If the same ye do not, I will use means not only to spoil you of all your goods, but according to the utmost of my power shall work what I can to dispossess you of all your lands; because you are the means whereby warres are maintained against the exaltation of the Catholick faith. Contrarywise, whosoever you shall be, that shall joyne with me: upon my conscience, and as to the contrary I shall answer before God, I will imploy myself to the utmost of my power, in their defence and for the extirpation of heresie, the planting of the Catholick religion, the delivery of our country of infinite murders, wicked and detestable policies, by which this kingdom was hitherto governed, nourished in obscurity and ignorance, maintained in barbarity and incivility, and consequently of infinite evils, which are too lamentable to be rehearsed.

"And seeing these are motives most laudable before any man of consideration; and before the Almighty most meritorious, which is chiefly to be respected, I thought myself in conscience bound, seeing God hath given me some power, to use all means for the reduction of this our poor afflicted country unto the Catholick faith, which can never be brought to any good pass, without either your destruction or helping hands: hereby protesting that I neither seek your lands, nor goods, nor do I purpose to plant any in your places, if you will adjoyn with me, but will extend what priviledges and liberties that heretofore ye have had, if it shall stand in my power: giving you to understand upon my salvation, that chiefly and principally I fight for the Catholick faith to be planted throughout all our poor country, as well in cities as elsewhere, as manifestly might appear, by that I rejected all other conditions proffered to me, this not being granted; which elssoone before by word of mouth I have protested, and do hereby protest, that if I had gotten to be king of Ireland, without having the Catholick religion which before I have mentioned, I would not the same accept.

"Yet

PACAT.
Hib.
p. 178.

which his enemies had been driven for shelter. Another letter, signed by O'Neal, Desmond, Macarthy-More*, and Dermot Macarthy, was dispatched to pope Clement; evidently the composition of an ecclesiastic. In the warmest terms of piety and zeal, they prostrate themselves before the FATHER OF SPIRITS UPON EARTH, imploring his compassionate relief for his spiritual sons, to enable them to subdue those who are enemies to their Sion, and oppose the building of the walls of their Jerusalem. They earnestly solicit his holiness to make a provision of pious and learned pastors, for their afflicted church, whom they promise to cherish and protect; and they beseech him to renew the sentence of excommunication fulminated by his predecessors against Elizabeth, which would enable them, his faithful subjects, to act with greater success in the defence of his kingdom of Ireland. In return to this application, the pontiff contented himself with publishing a bull, whereby he granted to the prince Hugh O'Nial, and all his confederates and assistants, the same spiritual indulgences usually conferred on those who fought against the Turks, for recovery of the Holy Land.

Cox.

WHILE the insurgents thus laboured to alienate the minds of those who still adhered to the queen, and were preparing to renew the war, in full confidence of success, the royalists were proportionally dismayed. Nor was it an inconsiderable aggravation of their present distress, that two of their ablest officers, Sir Warham St. Leger, and Sir Thomas Norris, were cut off in some petty encounters. Their only hopes were, that they might act on the defensive for a while. Ormond was indefatigable

* * Macarthy-More, or the Great, was the designation of the Irish chieftain of this sept. The honor had been conferred on a base son of the earl of Clancarthy. But Tirone now contrived to depose him, and to vest the chieftainry in Florence Macarthy, a man more devoted, and more useful to his purposes. Pacat. Hib. p. 29. Ed. Lond. 1693.

tigable in strengthening and supplying the forts and garrisons, and collecting the forces of the Pale. He represented the dangers and apprehensions of the well-affected to the English ministry; and urgently solicited, that some effectual provisions should be made for their protection, before the rebels might be enabled to break into the Pale, and overwhelm them. At the same time he marched into Munster, on the expiration of the truce, and by his activity foiled some attempts of Tirone, and gained some advantage over his confederates

Carte ut
supra.

C H A P. V.

Lord Mountjoy, chief governor . . . Despised by the Irish . . . Attempts to surround Tiron, . . . who escapes from Munster, and gains his northern quarters . . . Sir George Carew, lord president of Munster, attends the earl of Ormond to a parley with O' Moore, . . . Ormond seized by the rebels. . . . Rebels elated, . . . Jealousies and suspicions of the friends of government . . . Terms proposed for the enlargement of Ormond . . . Rejected by Mountjoy . . . His operations and success in Ulster . . . Their influence . . . Rebels of Leinster harassed and distressed . . . Ulster desolated . . . Tirone harassed, distressed and deserted. . . . Progress of Mountjoy interrupted by intelligence from England . . . His fears dissipated . . . His manner of conducting the war . . . He divides the Northerns . . . Deprives the rebels of subsistence . . . They are deprived of foreign supplies, by the scheme of a new coinage . . . The queen's soldiers impoverished . . . Services of Mountjoy approved by the queen, . . . Causes of discontent and rebellion in Munster . . . Leaders and preparations of the rebels. . . . Carew practises against the rebel-leaders . . . Titular earl of Desmond seized and rescued . . . Progress of Carew . . . Distresses of the rebels . . . James, son of the rebel earl of Desmond, sent into Ireland . . . His adventure at Kilmallock . . . Munster rebels submit in great numbers . . . Rumour of a Spanish invasion . . . Its effect . . . Titular earl of Desmond seized and delivered to Carew . . . The designs of Spain confirmed . . . Precautions of Carew . . . Spanish fleet in the harbour of Kinsale . . . Mountjoy and Carew proceed to Cork . . . The time of the Spanish descent unfavourable . . . The place inconvenient . . . The Spaniards separated . . . Don Juan d'Aquila besieged in Kinsale . . . The Northerns march to his support . . . Carew attempts to intercept them ; but in vain . . . Royalists reinforced . . . Progress of the siege . . . Don Juan's answer

answer to the summons of the lord deputy . . . Six Spanish ships arrive at Castlehaven . . . Which produces a general revolt of the Irish . . . Admiral Leviston repulsed . . . Distress of the besiegers . . . Scheme of Tirone for completely reducing them . . . Don Juan urges him to an engagement . . . Defeat of the Irish confederates . . . Flight of O'Donnell and Tirone . . . Don Juan astonished and provoked . . . Treats with the lord deputy . . . His stateliness and contempt of the Irish . . . The capitulation opportunely concluded . . . The Spanish posts surrendered . . . O'Sullivan seizes Dunboy . . . The castle assaulted by Carew . . . Desperate efforts of the governor in his expiring moments . . . War revived in Munster with rancour and cruelty . . . Terminated by Carew . . . Mountjoy prosecutes the Northerns . . . Hideous calamity of the rebels . . . Tirone sues for mercy . . . His overtures accepted . . . Irresolution of the queen . . . Inconsistency of her instructions . . . Mountjoy concludes the treaty with Tirone . . . His submission to the deputy . . . Renewed on advice of the death of Elizabeth, to James her successor,

AT the time when Tirone, the great leader of the Irish insurgents, was busily employed in Munster, confirming his associates, taking hostages from the suspected, carrying on his foreign correspondence, Moryson, B. I. C. 1. p 118. and concerting his future operations; when the gallant army, led by the earl of Essex, had been reduced to fourteen thousand foot and twelve hundred horse, to be distributed through every province of the island; the men wasted by disease, and dejected by ill success; the officers diffident and desponding; the number of the rebels considerably increased, their pride and confidence enflamed, and their cause secretly favored, even by those who appeared best affected to the state; Charles Blunt, Feb. A.D. 1599-60. N.S. Camden. lord Mountjoy, was appointed by the queen lord deputy of Ireland, and assumed the reins of government. He arrived at Dublin without parade or pomp; and such was the mean opinion formed of his military character, by the rude and boisterous Irish,

Moryson, p. 180. Irish, who mistook the refinement of his manners for effeminacy, that Tirone exulted in the choice made of a commander, who would *lose the season of action while his breakfast was prepared*. The queen

Ib. p. 132. herself seems to have entrusted him with this charge, not without some diffidence and caution: for the earl of Ormond was still continued lord lieutenant of the army; and her principal reliance seems to have been placed on this nobleman, and on the abilities and experience of Sir George Carew, whom she constituted lord president of Munster.

THE instructions, which Mountjoy received, were the same which Essex had fatally neglected, to plant strong garrisons at Loughfoyle and Ballyshannon, so as at any time to fall from these quarters upon the Ulster rebels; to station others at Armagh, Blackwater, and such other quarters as might check their irruptions into the Pale; and by thus encompassing the Northerns, either to confine them at home, and to cut off their supplies; or, if they should break out into other districts, to have their lands and effects at the mercy of the queen's troops. But the very day after his arrival, intelligence was received from Ormond, that Tirone now lay with a considerable force in the western part of Munster; that the troops of the earls of Thomond and Clancricarde, those of the commissioners for executing the office of president of Munster until the arrival of Carew, and those commanded by Ormond himself, were so stationed, that he could not possibly escape, except by the western borders of the Pale; so that if the deputy should draw his forces thither, he would have a fair opportunity of intercepting, and encountering him with advantage. Mountjoy, in consequence of these advices, marched to Molingar; where, after expecting the enemy for some time, and being amused with various reports, he at length learned, that Tirone had contrived to pass the river Inny, and fled with such precipitation into the North as plainly shewed his terror of the royalists, and

Ib. p. 125.
132.

and that his numbers had been greatly magnified. An escape so mortifying naturally raised suspicions in the mind of a new chief governor, of some neglect, if not of some treachery, in those who were to watch his motions. Of the earl of Clanricarde in particular, it was reported that Tirone had practised with him, and that he only waited the return of his son, lord Dunkellin, from England, to declare openly for the rebels. But an unexpected incident served to fasten suspicions upon a character of still greater consequence. Moryson, p. 133.

On the departure of Sir George Carew for his government of Munster, he was received at Kilkenny by the earl of Ormond, who informed him that he was the next morning to hold a parley with O'Moore, the principal rebel of Leinster; inviting him and the earl of Thomond, his companion, to attend the conference. They complied; advising the earl, that his own troop of two hundred horse, joined by that of one hundred, which was in the president's train, should attend them as a guard. Ormond slightly answered, that the precaution was unnecessary, and even commanded his own troop to halt within two miles of the appointed place of meeting; advancing only with seventeen armed men; while O'Moore awaited him with a complete band of pikemen, leaving his chief body, consisting of five hundred foot and twenty horse, in an adjacent wood, ready to rush out at his command. Carew, who disliked the situation of the place, the circumstances, and the behaviour of the enemy, pressed the earl of Ormond to retire: but after a long and fruitless conference with O'Moore, he demanded to speak with one Archer, a jesuit, noted as a great incendiary. While he was engaged with him, the rebel troop gradually advanced, surrounded his company, and at length seized the earl. Carew and Thomond spurred forward, and burst through them, so as to effect their escape with some danger

danger and difficulty. Ormond remained their prisoner; nor could his troop be persuaded to attempt the rescue of their lord.

- Moryson,**
p. 145. The rebels of all quarters were considerably elated at this event, while the friends of government in this time of danger and jealousy, easily entertained suspicions, that a leader, who had usually acted with due circumspection, could not have run so blindly into danger, unless he had formed a clandestine scheme of delivering himself into the hands of the rebels. It was suggested that he had held many private conferences with Tirone, and lately received letters from this chieftain; that his followers daily practised with the rebels, and were evidently disaffected to the queen's service; that now, when they had lost their head, they might take their part without restraint, or perhaps would be soon called by the earl himself to serve against the queen. Mountjoy, who possibly was not dissatisfied at the removal of a man who rivalled him in authority, and conceived that this event might induce the queen to send him reinforcements from
- Ib. p. 148.** England, affected to treat it with indifference. He received in a short time from O'Moore, the terms on which the earl's liberty was to be purchased: that her majesty's garrisons were to be removed from his territory of Leix, and sufficient securities given that none others should be planted there; that if these securities should be denied, then the
- Ib. p. 150.** garrisons of O'Fally also should be removed; that O'Moore and his followers should be received into protection for six weeks, and during this interval no forces should be sent against their confederates of Ulster. Mountjoy rejected these insolent overtures with a silent disdain, and proceeded in his military operations.
- Ib. p. 141.** SEVERAL detachments had been already sent to Dundalk, Ardee, Kells, Newry, Carlingford, to keep the northerns in awe, and confine them to their own territory. Sir Henry Dowkra, a brave English

English officer, was destined to the command of four thousand men, to be stationed at Loughfoyle, the measure of greatest consequence (as the intended lodgment at Ballyshannon had been necessarily delayed.) And now having provided for the security of Leinster, and sent supplies to the English garrisons of Leix and O'Fally, in despite of the boasted opposition of O'Moore, Mountjoy proceeded northwards, in order to favor the descent of Dowkra, by drawing off the attention of Tirone. He found this chieftain entrenched between Newry Morryson, and Armagh; and prepared to dispute his passage. p. 151. He attacked him vigorously: and after some resistance drove the Northerners to their woods with more disgrace than loss. To crown this success, intelligence was received, that Sir Henry Dowkra, after some inconsiderable opposition, had made good his landing at Loughfoyle, and was busily employed Ib. p. 154 in fortifying the city of Derry.

THE power and consequence of an Irish chieftain, above all others, depended on opinion. The dishonorable retreat of Tirone from Munster, the defeat which he sustained in his encounter with the lord-deputy, and the settlement of the English forces at Loughfoyle, were events which had a marvellous impression upon the fickleness of the Irish. To Dowkra they deserted in great numbers; Ib. p. 154 to the lord-deputy some of their principal partizans applied for pardon and protection. Sir Arthur O'Nial, son of the late Tirlaugh Lynmogh, made Ib. p. 156 overtures of submission, hoping to be invested with the title and estate of Tirone. One of the O'Donnells called Nial Garruff, or the *Boisterous*, stipulated for the chieftainry of Tirconnel, as the price of his desertion. And though the demands of all were not granted in their full extent, yet by some concessions, and assurances of farther favor, such men were retained in a dependence on government.

FROM

Morison,
p. 178.
Ib. p. 179.

From the northern borders Mountjoy was again called into Leinster by the insolence of the rebellious sept of this province; and here again the well-affected were encouraged, and the insurgents confounded by his successful excursions. He pursued Tirrel and O'Moore into their retreats in Leix, where in a bold attack upon the English forces, O'Moore was killed. This chieftain had some time before consented to release the earl of Ormond, on his giving hostages for the payment of a large ransom: and the deputy in this expedition had the good fortune to prevail on those who had the custody of these hostages to deliver them into his hands upon a promise of pardon and protection. The Leinster rebels, by driving the royalists into their fortified towns, and living long without molestation, had cultivated their lands and established an unusual regularity and plenty in their districts. But now they were exposed to the most rueful havock from the queen's forces. The soldiers, encouraged by the example of their officers, every where cut down the standing corn with their swords, and devised every means to deprive the wretched inhabitants of all the necessaries of life. Famine was judged the speediest and most effectual means of reducing them; and therefore the deputy was secretly not displeased with the devastations made even in the well affected quarters, by the improvident fury of the rebels.

Ib. p. 157.

The like melancholy expedient was practised in the northern provinces. The governor of Carrickfergus, Sir Arthur Chichester, issued from his quarters, and for twenty miles round reduced the country to a desert. Sir Samuel Bagnal, with the garrison of Newry, proceeded with the same severity, and laid waste all the adjacent lands. All the English garrisons were daily employed in pillaging and wasting; while Tirone with his dispirited army, shrank gradually within narrower bounds. They were effectually prevented from sowing and cultivating

Ib. p. 160.

vating their lands, which had formerly lain unmo-
 lested by the English; and at the approach of win-
 ter, the deputy again appeared on their borders.
 He again drove Tirone from his entrenchment, and
 demolished his works. The want of necessaries had ^{Morys:}
 driven the English garrison from Arinagh, and ^{B. III. p.}
 made it impracticable to maintain this post, in a ^{138.}
 wasted country; he therefore marked out a place
 for a new fort, eight miles distant from this town,
 which he finished and called Mount-Norris, in ho-
 nor of the general, whom he deemed his master in
 the art of war. Every day the enemy attempted
 to interrupt him by skirmishes, but were constantly
 repelled by his vigor and prudent dispositions.
 The last effort made by Tirone was to oppose his ^{Ib. B. I.}
 return by Carlingford; but here again he was bravely ^{p. 190.}
 repelled with considerable loss. So that the repu- ^{Ib. B. I.}
 tation of this chieftain, so long the idol of his bar- ^{p. 192.}
 barous countrymen, was utterly overthrown, and
 his followers from all quarters fled from the miseries
 of war, and sued to government for pardon and pro-
 tection.

BUT while Mountjoy proceeded thus wisely and
 successfully in the prosecution of the Irish war, some
 alarming incidents in England threatened to inter-
 rupt his progress. The unhappy earl of Essex had ^{Camden}
 filled up the measure of his folly, been tried for
 high-treason, and on his condemnation pretended
 to discover his accomplices. Among numbers of
 considerable persons, whom he pointed out as privy
 to his secret practices, the Irish lord-deputy, his ^{Morys.}
 friend, and one who, in his disgrace, had zealously ^{B. I. p.}
 vindicated his conduct in Ireland, was particularly ^{134.}
 mentioned. The information was slight and vague,
 yet sufficient to alarm lord Mountjoy; who al- ^{Ib. B. I.}
 though he urgently pressed to be recalled, yet was ^{p. 204.}
 "fully resolved," as he expressed it, "not to put
 his neck under the file of the queen's attorney's
 tongue;" and therefore determined to seek his
 security in France, and actually made some prepa-
 rations

Morya.
B. I. p.
208.

rations for his voyage. But the services he had already performed, and the necessity of employing him still further, outweighed the suspicions suggested of his disloyalty; so that the queen not only continued him in his command, but soon after honored him with a gracious letter in which she informed him of Essex's death, professing that, in regard of his approved fidelity and love, it was an alleviation of her grief that she could pour it out to him. Under the pretence of cautioning him to guard against the private disloyalty of some among his officers, who owed their advancement to the earl of Essex, she artfully contrived to insinuate, that she could not but readily pardon those, "who
" by his popular fashion, and outward profession
" of sincerity, had been seduced and blindly led
" by him." And to his application to be recalled, she answered, with a well dissembled affection, that she wished he should conceal this his desire, until, those rumors which the rebels spread of a Spanish invasion should be dissipated; promising to recal him in the ensuing winter, and to employ him near her person.

Th. B. I.
p. 112.

Th. p. 114.

MOUNTJOY, thus delivered from his fears, proceeded against the insurgents with his usual vigor. He had now raised the spirit of the soldiery, by leading them warily to petty actions, in which they were constantly successful. Instead of pursuing the enemy occasionally by general hostings, as they were called, in which all the queen's subjects were collected for a short time, so that the rebels had sufficient notice of their approach, and fled to their retreats, until the storm was dissipated, he contented himself with commanding a small body, with which he fought them in their own manner, attacking them by surprize, and keeping them perpetually alarmed and harassed. Those who submitted, he received with caution and due dignity; but the terms he vouchsafed to promise them were scrupulously fulfilled. And thus were they encouraged not only to forsake the rebels, but to do service in
the

the queen's army. With more of policy than humanity, he took care that those Irish soldiers should be exposed both to toil and danger; and even boasted to the queen that he thus diminished the number of her secret enemies. They were however outwardly encouraged; and their leaders rewarded by especial favors, when they had once approved their fidelity. One of the sept of Magwire, was, in opposition to a partizan of Tirone, invested with the lands and chieftainry of Fermanagh: and Nial Garruff obtained a like grant of Tir-connel, with a reservation of eight thousand acres round Ballyshannon. But these methods of dividing the northern rebels were not so acceptable to the English ministers, nor deemed so speedy or effectual, as the schemes for depriving them of all provisions necessary not only for war, but the common subsistence of their lives. The devastations made by the English garrisons already threatened them with the miseries of famine; and to cut them off from all foreign supplies, a new and extraordinary measure was devised, which essentially affected every part of the realm.

THE expences of maintaining the Irish war had gradually encreased to the annual amount of four or five hundred thousand pounds: and it was soon found, that by the regular payment of the army in sterling money, an alarming quantity had been gradually drained from England; of which a very considerable part, either by inroads and plunder, or by traffic for provisions, and other ways of commerce, fell into the hands of Tirone and his associates: thus were they enabled to procure from the continent a regular supply of arms, ammunition, and provisions, so as to make war upon the queen with her own treasure. To remedy this inconvenience, and at the same time to lessen the burden of maintaining the royal army, the queen was persuaded, though not without some reluctance and apprehension, to order a base coin to be sent into Ireland, and there to be taken as sterling money, strictly

Moryson'
B. I.
p. 287.

lb. p. 198.

Paca'.
Hib.
p. 149.

strictly prohibiting the importation of any other species into that kingdom; and decrying those already current. By her proclamation, an exchange was established in several towns of England and Ireland, where the subjects of either kingdom might commute their coins, allowing a difference of one shilling in the pound, between the Irish and English standard. This scheme, indeed, served to encrease the distresses of the rebels; when no money at all appeared, except of this base sort, denominated at an high valuation, and yet of little use for purchasing provisions in foreign countries, where it would not pass above its real and intrinsic value. But as traders took care, in consequence of this coinage, to raise the prices of all commodities excessively; and as great quantities of spurious coinage were made by rebels and strangers, the exchange soon failed, and (as Moryson expresses it) "the hearts of the queen's soldiers failed therewith; for they served in discomfort, and came home beggars; so that only the treasurers and paymasters, who were thereby infinitely enriched, had cause to bless the authors of this invention."

Moryson,
B. I.
p. 208.

At the first intimation of this measure, Mountjoy, who justly conceived that so considerable a defalcation of their pay, might provoke the army to an immediate mutiny, determined to keep them busily employed; and for this purpose marched to the northern borders; where he supplied and reinforced his garrisons, received the submissions of repenting rebels; and, without engaging in any important enterprize, kept Tirone in perpetual alarm, and harassed him in several successful skirmishes. Such was the estimation in which these services were held, that he had instructions to thank the army and all the officers, in the queen's name, for their zeal and duty in her service, and to signify her gracious acceptance of their endeavors. But new incidents soon called him into the southern province. And, as this part of Ireland now became the principal seat of

Ibid. 258.

Ibid. 260.

of war, it is necessary to recur to the progress of its events; and the conduct of Sir George Carew in the presidency of Munster.

THE causes of discontent alleged by the insurgents of this province, were nearly the same with ^{Pacat.} those which had excited, or at least inflamed the ^{Hi.} public disorders in other parts of Ireland; the griev- ^{p. 145,} ous compositions laid upon the lands, from which ^{146.} they were not relieved at the determination of the stipulated time; the extortions and bribery of sheriffs: the easiness of English jurors in condemning obnoxious persons on the slightest evidence; and the terrifying executions of innocent Irishmen; the extraordinary devices found to impeach their titles to estates*; the rigorous execution of the penal laws against recusants; and the intrusion (as they deemed it) of the English settlers. But whatever public

* However the foreign clergy, and popish emissaries, might have encouraged the people to repine at the penal laws, yet it is certain, and acknowledged by writers of the Romish communion, (when it serves the purpose of their argument) that these laws were not executed with rigor in the reign of Elizabeth. The oath of supremacy, purposely framed and explained to intimate nothing more than an acknowledgment of the sole jurisdiction of the crown over all persons, and in all causes, ecclesiastical and temporal, and a renunciation of all foreign power and jurisdiction, was freely accepted by the Irish chieftains in the beginning of her reign (as appears by several of their indentures of submission,) until the partizans of Rome had taught such men as the rebel lord Balinglass, that trite and disingenuous objection, that a *woman incapable of holy orders* could not claim any ecclesiastical supremacy. (See Cox, p. 367.) And even then it appears from record, that the oath was only tendered to officers and magistrates, who were not immediately displaced on their refusal, but suspended from the exercise of their respected offices.

The act which enforced an attendance on the reformed worship, under the penalty of one shilling on the absentee, met with a general compliance from the papists in England, until the excommunication of the queen, and the industry of the Jesuits created numbers of recusants. In Ireland, the Remonstrants of 1644, contended that it was not at all executed in this reign. Their answers assign a reason, because there were no recusants, as all of the Romish communion resorted to the established churches. But, though the allegation on each side be not strictly

public causes were alleged, the principal leaders had their private views, and private points of interest

strictly true, yet, the law though not entirely dormant, was yet generally relaxed. Indeed it would have been an useless and wanton, as well as an impolitic exercise of power, to have severely enforced the penalties of this law, as the Christian methods of reformation were sacrificed to the scheme of discouraging that language, in which only the body of the people could have received instruction; as there were few churches to resort to, few teachers to exhort and instruct, fewer still who could be understood, and almost all, at least for the greater part of this reign, of scandalous insufficiency. The effects of superstition are truly lamentable: and no Christian nor citizen can reflect, without abhorrence, on the principles inculcated, and the practices countenanced, by the popish agents sent into Ireland, to foment the disorders of these times. Yet still there is compassion due to a wretched people, who, without ever hearing the voice of instruction, were abandoned to the influence of factions and sanguinary zealots. Nor in these days of spiritual severity was Elizabeth so ill-informed as to expect, or so absurdly arbitrary as to demand, an immediate and general compliance with the religious establishments in Ireland. When the Irish malecontents, on submitting to government, had been taught to demand a free exercise of religion, her ministers were instructed to assure them of every indulgence, but that of an express and formal toleration. "For Sir Arthur O'Neal's demands," say the lords of the English council to the lord deputy Mountjoy, (Moryson, V. I. p. 155). "in the first point concerning religion, her majesty bore with it, because she took it to proceed from his ignorance, not of presumption; only wishing the lord deputy to let him see, that her majesty pursued none in those parts of religion; and so to satisfy him: but in no wise by any contract or condition."

It is true that an high commission court was established at Dublin in November, of the year 1503, to inspect and reform all offences committed against the acts of the 2d of Eliz. It also appears that it was a regular and ordinary instruction to the provincial governors of Ireland, "in all times, and all places, where any great assembly should be made before them, to persuade the people by all good means and ways to them seeming good, and especially by their own examples, to observe all orders for divine service—and to embrace and devoutly to observe the order and service of the church established in the realm, by parliament or otherwise—to execute all manner of statutes of this realm; and to levy, or cause to be levied, all manner of forfeitures, &c."

Yet

rest to engage them in rebellion. Florence Mac-Arthy had purposely been raised up by government, as a rival to Daniel, a factious and suspected leader, and, in the administration of Essex, sent into Munster with a royal grant of the county of Desmond, his ancient inheritance; but as his insolence and cruelty soon disgusted the neighbouring lords, and determined them, in their lawless way, to support the claims of Daniel, Florence joined readily with Tirone, hoping by his powerful assistance to recover his lands; and was by him established chieftain by the name of Mac-Arthy-More. And had his sept been firmly united, he must have proved a truly
 Pacat.
 Hib.
 p. 160.
 p. 72.
 formi-

Yet whenever the queen's ministers, by virtue of these instructions or commissions, ventured to proceed to any violent exertion of their authority, we find them checked and controuled, and a more moderate conduct urgently recommended from England.—“And whereas,” saith the Deputy Mountjoy to the lords of the English council, “It hath pleased your lordships in your last letters to command us to deal moderately in the great matter of religion, I had, before the receipt of your lordship's letters, presumed to advise such as dealt in it, for a time to hold a more restrained hand therein. And we were both thinking ourselves, what course to take in the revocation of what was already done, with least encouragement to them and others; since the fear, that this course begun in Dublin, would fall upon the rest, was apprehended over all the kingdom; so that I think your lordship's direction was to great purpose; and the other course might have overthrown the means to our own end of reformation of religion. Not that I think too great preciseness can be used in the reforming of ourselves, the abuses of our own clergy, church-livings, or discipline; nor that the truth of the gospel can with too great vehemency or industry be set forward, in all places, and by all ordinary means most proper unto itself, that was first set forth and spread in meekness: nor that I think any corporal prosecution or punishment can be too severe for such as shall be found seditious instruments of foreign or inward practices, nor that I think it fit that any principal magistrates should be chosen without taking the oath of obedience, nor tolerated in absenting themselves from publick divine service; but that we may be advised how we do punish in their bodies or goods any such only for religion, as do profess to be faithful subjects to her majesty; and against whom the contrary cannot be proved.” (Morys. V. I. p. 278)

Pacat.
Hib.
p. 72.

Ib. p. 139,
140.

Ib. p. 32.

Ibid.

formidable leader, as he could command three thousand fighting men of his immediate followers. James Fitz-Thomas, the titular earl of Desmond, or as the loyal Irish called him in derision, the *Suggan* earl, that is the earl of *Straw*, had immediately, on the death of the unhappy Gerald, aspired to his title and estate. As James, son of the great rebel was harboured and countenanced by the queen, his pretensions could meet no favor from her Irish government: he therefore soon engaged in clandestine councils and practices with his brother John Fitz-Thomas and the active and desperate Pierce Lacy. His conduct was so suspicious, that sir Thomas Norris committed him to prison, from which he contrived to escape, and throwing himself into the arms of Tirone, now in the full career of his success, was by his imaginary authority constituted earl of Desmond, a title which commanded a formidable train of followers in Munster. To strengthen the rebellion still further, two powerful bodies of mercenaries were led out of Connaught by two chieftains, Redmond De Burg and Dermot O'Connor, whose united numbers amounted to five thousand,

On entering upon his government, Carew was justly alarmed at the representations made of the southern province. Besides the numbers engaged in open insurrection, he was assured that the very cities abounded in disaffected persons; that popish ecclesiastics every where laboured to pervert the ignorant from their loyalty; and where the terror of their spiritual censures was not sufficient to drive the inhabitants into actual rebellion, it yet restrained them from giving any assistance to the royalists. To encounter an army of rebels, and to awe the secret enemies of government, Carew was furnished with three thousand foot, and two hundred and fifty horse, for the whole service of his province: a force utterly incapable of making the slightest resistance to the enemy, if firmly united into one body. But their numbers, however formidable in appearance,

appearance, where really made up of various bodies, commanded by separate and independent leaders, each seeking his own particular emolument, jealous of each other, restrained by no superior authority, and but weakly influenced by any common principle, national or religious. So little had the Irish refined, and so considerably had the old English race degenerated, since the beginning of the thirteenth century, that the manners of these southern insurgents were the same, which at the first English invasion distinguished this ill-fated country. Carew seated himself in Cork, studied the characters and different interests of his enemies, and was soon convinced that the most effectual means of subduing must be to disunite them, and to fill them with mutual jealousies and suspicions of their associates.

He began by alarming them with rumors of excursions speedily to be made from his head quarters, which must ravage the adjoining country. The chieftains of these districts were terrified, and submitted to the royal mercy. Florence-Mac-Arthy had been lately mortified by a defeat which he received from an English officer; and, in his present state of humiliation, he was the more readily prevailed upon to hold a conference with Carew, and with some difficulty consented to a neutrality; which though not expected to be lasting, yet was useful to the present purposes and occasions of the lord president. The chief leaders he had now to deal with, were the titular earl of Desmond, who commanded the provincial troops, and O'Connor, principal leader of the mercenaries. It was hopeless to practise with the former, as he was determined not to relinquish his claims to the honors and estate of Desmond, and the queen equally determined not to grant them. But O'Connor, was a soldier of fortune, ready to engage with any party from whom he hoped for greater advantage. He had married the daughter of the late earl of Desmond, an alliance by which he considered himself as highly honored,

Pacat.
Hib.
p. 34.

Ib. p. 46

and which therefore placed him entirely under the influence of his wife. His wife, who by an English education contracted an affection for English government, and was particularly solicitous for the interest of her brother, naturally hated the usurper of his title, and prevailed upon her husband, for a sum of money, to form a scheme for delivering the titular earl into the hands of the lord president.

Pacat.
Hib.
p. 38.

SUCH methods of making war, however necessary, were not of the most honorable kind: but Carew still descended to more dishonorable practices. One Nugent, a servant of Sir Thomas Norris, had deserted to the rebels, and by the alacrity of his services acquired their confidence. In a repenting mood he submitted to the president, and to purchase his pardon, promised to destroy either the titular earl or his brother John. As a plot was already laid against the former, and as his death could only serve to raise up new competitors for his title, the bravo was directed to proceed against John. He seized, his opportunity, and attempted to dispatch him; but as his pistol was just levelled, he was seized, condemned to die, and at his execution confessed, his design; declaring that many others had sworn to the lord president to affect what he intended. This declaration so affected the brothers, that they lived in continual terror of treachery, never daring to lodge together in one place, or to appear at the head of their troops. To encrease their confusion, Redmond De Burgh, who claimed the lands and lordship of Leitrim, and was purposely encouraged to hope that the president would favor his claim, withdrew from their service, with five hundred mercenaries.

Ib. p. 45.

Ib. p. 46.

Ib. p. 38.

THE plot of O'Connor for seizing the *suggan* earl, remained still to be executed; and to promote its success, all the motions of the lord president were directed. At a season when his officers expected some vigorous action, he suddenly dispersed his forces into different garrisons, in order to inspire

Ib. p. 51,
25.

spire the rebels with confidence, and to induce their leaders to make the like disposition of their troops. A letter was devised, as if addressed by Carew to James Fitz-Thomas, expressing many acknowledgments for his secret services to the state, and exhorting him to deliver up Dermot O'Connor, alive or dead. Dermot, furnished with this letter, which it was to be supposed he had intercepted, seeks an interview with James, seizes him in the name of O'Nial as a traitor, produces his letter as a proof of this his guilt, and conveys him with some of his companions to a neighbouring castle, of which he held the command, informing the lord president of his success, ^{Pacat.} and eagerly expecting his reward. But before Ca- ^{Hib.}rew could arrive to receive his prisoner, John Fitz- ^{P. 56.}Thomas and Pierce Lacey, who suspected the real purpose of O'Connor, collected four thousand of their followers, and rescued the titular earl.

CAREW, though disappointed in this attempt, yet was now the more emboldened to proceed in his military operations against an enemy divided by mutual suspicions. He took the chief castle of the Knight of the Valley, in despite of a vigorous de- ^{Ib. p. 62.}fence, and proceeded to other exploits of the same ^{83.}kind, even while the enemy was in view. Two thousand five hundred of the Connaught mercenaries, alarmed at his progress, and despairing of the cause in which they had engaged, sued for his permission to return unmolested into their own country; which was granted, not without some stately delay. He pierced into Kerry, where he took the castle of the lord of Lixnaw, who died of grief at this mortification, leaving a son no less determined in his inveteracy against the English, yet for the present obliged to submit, and sue for the protection of government. His excursions were attended with the most dismal havoc, through all the disaffected country. Numbers of the most desperate rebels relented at the prospect of desolation and famine, and these champions of the faith sued to Rome to be

be absolved from the sin of submitting to an heretical government, and to be permitted to continue in a temporal obedience to the state. To complete the confusion of the rebels, the garrison of Kilmallock, in a successful attack upon the titular earl, struck such confusion into his troops, that they dispersed, and so dispirited his adherents, that his brother John fled for shelter to Tirone, and Pearce Lacey determined to court better fortune in the war of Ulster.

Pacat.

Hib. p. 85.

—90.

BEFORE the titular earl had been reduced to this distress, both the English ministers and the lord president concurred in the expediency of setting up a rival to his power and popularity in Munster. For some occasion of this kind, James, son of the great rebel earl of Desmond, had been educated by the queen, and entertained honorably in the Tower. And now the queen, persuaded that his presence in Ireland would draw off the ancient followers of his house from the usurper Fitz-Thomas, admitted him to her presence, saluted him by the title of earl of Desmond, and sent him into Munster, with a patent for his restoration to the honors of his family, which the lord president however was directed either to deliver or retain, according to the expediency of affairs and the services of the young lord. The lords of this province, who had been overshadowed by the enormous greatness of the house of Desmond, rather dreaded than wished the advancement of lord James. The English undertakers were alarmed at his appearance, conceiving that he might in time be restored to the inheritance as well as the honors of his father; and James himself, educated in a retired and refined course of life, was little qualified to captivate his boisterous countrymen, or to mix in the turbulence of faction and intrigue. His arrival however served to increase the apprehensions of the disaffected. As an experiment of his influence, the president consented that he should make an excursion into the county of Limerick, accompanied by some persons

persons of approved fidelity. On his arrival at the town of Kilmallock he was received with unbounded acclamations of joy; the streets, doors, windows, and even roofs of all the houses were filled with exulting crowds, all pressing to behold the noble heir of an illustrious family, which they had been habituated to consider with delight and reverence: a strong guard of soldiers could not obtain a passage for him, or extricate him from their rude and tumultuous salutations. On the succeeding morning he prepared to attend divine service in the church. The same concourse swarmed about him; but every voice loudly and pathetically exclaimed against the execrable intention, and thundered in his ears the disgrace, danger, and impiety, of joining in the heretical worship. The young lord, who understood not their language, passed meekly on to his devotions, and at his return was execrated and insulted. The crowds, who waited only to vent their rage, at once dispersed and left their chieftain unattended and unnoticed.

BUT this disappointment was the less alarming or mortifying, as the rebels of Munster were by this time reduced to the lowest state of distress and weakness. They conceived a design of drawing some forces from Ulster and Connaught to revive the southern war, and rescue the titular earl from his distress. But Tirone was too closely hemmed in by the dispositions of the lord deputy to afford them any assistance. Raymond De Burgh, who had again promised to unite with them, was still amused by Carew with the hopes of gaining his lordship of Leitrim, and again deserted them. They could not expect any services from Dermot O'Connor, this leader having been taken prisoner in a private quarrel with one of his own sept, and put to death. Mac-Arthy-More could assist them only by his counsels and secret practices, and was now the more reserved as he had been lately obliged to renew his submissions and assurances of loyalty. Even their

Pacat.
Hib. p.
102.
Ib. p. 103.
suggan

suggan earl chose the life of a wandering kerne, rather than commit himself into the hands of confederates, on whose attachment he could have no reliance, and any one of whom might deliver him up to the enemy, in order to make his own peace.

Pacat.
Hib.

Ib. p. 105.

The wretched remains of the rebel forces fled for shelter and sustenance into the territories of the earl of Ormond; but here they were hunted and driven from their retreats. The presidency of Sir George Carew had no longer the appearance of a military government. His sessions were held, and justice

Ib. p. 116. regularly and strictly administered. The queen consented to pardon any of the southern rebels that he should nominate to the lord deputy, excepting

Ib. p. 121. James and John Fitz-Thomas, Pierce Lacey, the Knight of the Valley, and baron of Lixnaw; and no less than four thousand persons readily accepted this act of grace. So that, as there now seemed no

Ib. p. 117. enemy to fear, Carew proposed to detach one thousand of his forces to the assistance of the lord deputy.

SUCH was the situation of the southern province, when confident assurances were spread through Ireland, that the Spanish succours, so long expected by the male-contents of this kingdom, were speedily to embark; and that Munster was the destined

Ib. p. 170. scene of their invasion. Oviedo the Spanish archbishop of Dublin, and other factious ecclesiastics, had spread the intelligence through the disaffected quarters, and were indefatigable in animating and confirming the leaders of rebellion. From the pope

Ib. p. 369. they brought a flattering epistle to prince O'Nial, commander of the catholic army, as he was styled, filled with benedictions on him and all his adherents, who *had not bowed the knee to Baal*, but strenuously contended for the faith. This chief-tain, comforted in his distress by the prospect of Spanish succours, held his councils, encouraged his associates, dispatched his emissaries to the disaffected lords in every province, exhorting them to prepare for the reception of their foreign allies; and now,

if

if ever, to exert themselves against the pagan beast, (for such was the language of one of his intercepted letters.) What he was chiefly solicitous to effect, was the rekindling the flame the rebellion in the southern province. But besides the wise dispositions of the lord president to guard against any irruption through Connaught, a new and fortunate incident served to confound the rebels, and to defeat their schemes against the peace of Munster.

THERE was no man of any account in this province with whom Sir George Carew had not practised, for apprehending the titular earl of Desmond, who was now reduced to the condition of a fugitive, stealing from one wretched retreat to another. The president had been amused with various promises, which never were fulfilled; for such was the general affection for this unhappy lord, that no one could be found to engage in an attempt so odious. At length, some of the soldiers of lord Barry pursued some robbers into a wood, where he lay concealed with a few companions. James Fitz-Thomas, roused at their approach, started from his miserable meal prepared for him; and his affectionate followers, even at their own hazard, favored his escape. A mantle, which he left behind, discovered its owner; the soldiers pursued, but possibly with no sincere desire to apprehend him, suffered him to take shelter in the lands of the White Knight. Barry was the enemy of this chieftain; and glad of an occasion of complaint against him, hastened to the lord president, claimed the whole merit of the attempt to seize James, and imputed his disappointment to the negligence or treachery of the neighbouring chieftain and his people. The White Knight, who had submitted to government and was taken into protection, received a summons to attend the president; was reprov'd for his supposed offence; and even threatened, that, as he stood engaged for all his followers, his life and fortune must answer for their default. The chieftain, stung with

Pacat.
Hib. p.
139.

unmerited reproach, and alarmed at his danger, vowed to exert his utmost endeavours to seize the titular earl. He was directed by some of his followers to a caye, in which the miserable fugitive was found, disarmed without resistance, and delivered bound to the lord president. That the queen might be entitled to his estate without an act of parliament, he was immediately tried, convicted, and condemned, for his treason; but as his brother John, or some other idol of his sept, might be encouraged on his death to assume the title of Desmond, his life was spared; and Carew recommended, that he should be held confined in the Tower of London.

In the mean time, the intelligence of a Spanish invasion was every day repeated with more and more confidence. The titular earl positively and circumstantially asserted it. Others who had deserted from the rebels, declared with equal confidence, that the principal northern insurgents and their associates had held a council in conjunction with Oviedo, on the place most proper for the Spaniards to debark; that Pierce Lacy urged, that in the first place they should possess themselves of Limerick, as it was adjacent to Connaught and Leinster, not far remote from Ulster, and most convenient for the reception of English succours; that they who spoke the sentiments of Mac-Arthy-More, contended, that the landing should be made at Cork, the residence of the president, where his magazines and stores were placed, where the honor and advantage would be greater; and the resistance less, as the town was less defensible; that the powerful lords of Munster would be thus encouraged, by the vicinity of the Spaniards, to avow their disaffection to English government; or, if they still presumed to temporize, their country would become an easy prey. It was added, that this last opinion had prevailed; and that the Spaniards were to make their first impression upon Cork. Such intelligence could not be neglected

Ib. p. 179.

neglected by Carew. He conveyed it to England, and made a requisition of six thousand forces to be sent to his assistance. And in this time of danger and suspicion, as he had the clearest intimations of the secret practices of Florence Mac-Arthy, he ^{Pacat.} thought himself fully justified to seize this lord, the ^{Hib. p.} only chieftain of formidable power, now remain- ^{161.} ing in his province, and sent him into England with his other great captive, the titular earl of Desmond. He also contrived to possess himself of the persons of some leaders of the same sept. One of whom fully justified this precaution, by the frankness of his declaration. On his zealous professions of adhering faithfully to government, he was asked suddenly, by Carew, "But what if the Spaniards should arrive!" "In that case," replied he, "let not your lordship confide in me; no, nor in any of those lords who seem most devoted to your service."

THE designs of Spain in support of the Irish insurgents, which the queen's ministers had so long affected to disbelieve, became at length but too apparent; for intelligence was received that their ^{Ibid. p.} fleet, consisting of fifty sail, seventeen of which ^{189.} were ships of war, were discovered to the north of Cape Finistere, steering their course evidently to the coast of Ireland. Two thousand troops were sent from England on the first certain assurance of their embarkation, and three thousand more prepared for the service of Munster. The lord deputy and lord president met by appointment in Leinster, to confer on this alarming occasion. Some jealousies lately conceived by Mountjoy of the president, as assuming too great authority, and invading his department, threatened to make a di- ^{Ibid. p.} vision between these two commanders, at a time ^{185.} when their cordial union was most necessary. A sharp letter of expostulation to Sir George Carew, had not yet been received, when the deputy, satisfied that he had mistaken his conduct, in another letter generously acknowledged and apologised

Pacat.
Hib. p.
196.

for his error: so that they now met in new-cemented friendship, and with an honorable contention, which should most effectually support the operations of the other. The president had ever resolved to maintain the city of Cork against the invaders; and now received intelligence from Sir Charles Wilmot, who commanded the city in his absence, that the Spanish fleet appeared before the mouth of the harbour. Another express informed him, that on the slackening of the wind, the fleet had tacked about, and were now at anchor in the harbour of Kinsale. It was suggested, that on this occasion the lord deputy should return to Dublin, to collect his forces, and expedite the necessary supplies of ammunition and provisions for the southern war. But Carew urgently represented the danger of encouraging the disaffected to revolt, by retiring from the invasion, as it were, with a consciousness of the weak condition of the state: the forces could be collected and put in motion by his officers; and the magazines of Cork, by the precautions taken against an invasion, could supply the army for two or three months. This advice prevailed; and Mountjoy proceeded to Cork, as if fully prepared to meet the foreigners.

THIS attempt of Spain, to revenge the assistance given by queen Elizabeth to the Netherlands, had evidently been too long deferred. Had the invasion been made at that critical period, when the insurgents of the North were in the full tide of success, and had given strength and countenance to the disaffected in every quarter of the kingdom, the English power, already shaken, even to its foundation, could scarcely have sustained it for a moment. But now the Northerners lay cooped within their own immediate demesnes, dispirited by ill success, and wasted by famine. The insurgents of Leinster were broken and subdued. Those of Connaught reduced to such weakness, by pouring their forces, upon fruitless expeditions, into the northern and southern provinces, that the bare appearance of an enemy

was

was sufficient to drive the wretched remains into their inaccessible haunts. In Munster, the rebellion had been broken, and its chief leaders held in captivity; many partizans had fallen by the sword in different quarters; nor was it an inconsiderable loss to the insurgents, that Pierce Lacey had been lately slain upon the borders of Ulster. Neither do the Spaniards seem to have chosen the best place of descent for raising a general commotion in Ireland; in a province subdued and terrified to submission; at a distance from their northern friends, on whom they placed their chief reliance; and at a city weak and indefensible. It was generally supposed by the queen's officers, that Sligo must have been the place of their destination. And had they landed there, the town might have been easily fortified, was convenient for receiving succours by sea, and for uniting with the rebels: they would have had a fair country to possess, an easy way into Munster, into the heart of the Pale, and into those parts of Ulster, where the royalists could not have supplied the garrisons who were to oppose them. However, by the necessity of drawing forces from the northern borders, Tirone was left more at liberty, to march to the assistance of his foreign allies. It was suspected, and not without reason, that many secret enemies of government would be emboldened to declare for them; and that numbers of the Irish natives, who had no means of subsistence but by the sword, and yet, by their names and alliances could collect some followers, would accept their pay: and to oppose this confederacy, the lord deputy was to lead an army scarcely equal to that of his invaders, whose numbers were computed at six thousand.

WHILE one part of the Spanish forces was driven by storm into Baltimore, the main body, commanded by Don Juan d'Aquila, general of the expedition entered Kinsale without resistance, a small English garrison retiring at their approach. Dis-

Morys.
B. II. p.
272.

Ibid. 292.

Ibid. 324.

Sept.
A. D.
1601.
Pacat.
Hib. p.
197.

patches

Pacat.
Hib. p.
200.

patches were immediately sent into the North to notify their arrival; and to press Tirone and O'Donnel, the two leaders who had invited them into Ireland, to march without delay to join their allies. Oviedo and other ecclesiastics attended them, to shake the allegiance of the people by their exhortations and spiritual censures. The fairest professions and promises were lavished upon the Irish; the bitterest invectives published against the heretical government of an excommunicated queen; and all faithful sons of the church exhorted to unite with those who came to restore their lands and religion, and to rescue them from temporal and eternal perdition. But in despite of all these pathetic exhortations, the provincials of Munster were as yet so reluctant to engage in any new rebellion, that on the arrival of the lord deputy at Cork, several of their chieftains presented themselves before him, with the most vehement assurances of their loyalty; while others seemed to wait the uncertain event of war in a peaceable and inactive neutrality. A conduct so unbecoming the boasted champions of the church, the Irish endeavoured to excuse, by casting the blame on the fastidious behaviour of Don Juan.

O'Sullivan.
Hist.
Cath.
p. 175.

Daniel O'Sullivan, the chieftain of Beare and Bantry, declared, that he proposed to attend the Spaniard with a thousand men, and demanded arms for the same number; but was answered, that the arms were on board the vice-admiral, who had landed at Baltimore; and this with such coldness and contempt, as effectually discouraged the other provincials. But the precautions of Sir George Carew had probably a greater effect than the pride of Don Juan. The Spaniards, who came with the vain hopes of meeting a whole kingdom at their devotion, now found themselves confined within an inconsiderable town, unassisted by the natives, and besieged by the queen's forces.

Pacat.
Hib. p.
205.

SALLIES were frequently made, sustained, and repelled with due vigor. The castle of Rincorran, situated

situated upon the river of Kinsale, within half a mile of the town, convenient for annoying the English shipping, and which the Spaniard, therefore, had been careful to occupy, was violently assaulted, and, after an obstinate defence, at length surrendered to the lord deputy. The approaches of the besiegers were every day advanced, when intelligence arrived that the northern forces were in full march to assist the foreigners: that O'Donnel, with an army of followers from Connaught and Leinster, had already pierced into the territories of Ormond; and was followed by Tirone with the flower of his Ulster forces. It was instantly resolved to divide the royal army; and while the deputy, with one part continued the siege, that the lord president of Munster, as best acquainted with the country and its passages, should, with another body, march against the chieftain of Tirconnel. Carew engaged in this hopeless service, contrary to his own sentiments. Although he pressed closely upon the rebels, yet, as he had foreseen, no intelligence of their situation or motions could be obtained from a country too well affected to their cause. They kept themselves secure in woods and morasses, till, gaining the advantage of a severe frost, they marched rapidly over a mountain, otherwise impassable; and pierced into Munster, leaving the lord president to return to Kinsale, from a fruitless and harassing expedition. To console the lord deputy for this disappointment, Sir Christopher Saint Laurence came to his assistance with some forces of the Pale; the earl of Clanricarde arrived at the head of a gallant troop; the earl of Thomond, another zealous royalist, who had been sent into England, returned with one thousand men; two thousand infantry, and some cavalry landed at Waterford; Sir Richard Leviston, one of the queen's admirals, arrived at Cork with ten ships of war, two thousand infantry, and military stores. Such reinforcements were of considerable moment to a small army, a part of which was forged of provincials, collected from the towns,

Pacat.
Hib. p.
210.

Ib. 214.

Pacat.
Hib. p.
216.

Ib. p. 219.

Morrys.
B. II. p.
21.

towns, rather for the purpose of preventing their revolt, than from a dependence on their service ; yet still it was resolved, by no means to attempt the town by storm until the enemy should be weakened by sword or sickness. Castlepark, another adjacent fort, lying in an island opposite to Rincorran, was attacked and surrendered. The besiegers still advanced in their approaches, and defeated every attempt of the Spaniards to distress them. Yet when they summoned the town, they were answered that it was held for Christ and the king of Spain ; and should be maintained against all their enemies : to which Don Juan added, in the romantic spirit of his country, a bold challenge to the viceroy, to decide the quarrel in single combat.

Pacat.
Hib. p.
224.

HITHERTO the provincials of Munster, who had lately submitted and received their pardons, looked on the contending parties in a peaceable neutrality, without resting their fortunes on the uncertain events of a siege, hardly sustained by a small body of Spaniards. But six additional Spanish ships now arrived at Castlehaven, and landed troops said to amount to two thousand, with stores, ordnance, and ammunition. Six other vessels they declared had sailed with them from the Groyne, which a storm had separated ; and that more and more forces were preparing, as the king of Spain determined to support the Irish war in a manner worthy of his crown and dignity. O'Donnel instantly united with these new invaders ; Tirone had pierced into Munster, and was at hand. The disaffected septs conceived that the hour of their deliverance from the English power was at length arrived : they at once cast off the mask of submission ; all the Irish, and several of the English race in Kerry and Desmond, all from Kinsale and Limerick westward, declared for the invaders. O'Driscall, lord of a fort at Castlehaven, which commanded the harbour, delivered it to his foreign friends. Another of his race put them in possession of his castles at Baltimore, and the island
of

of Innisherken. Daniel O'Sullivan, with the same zeal, resigned into their hands his fort of Dunboy, a post of considerable strength, which absolutely commanded Berehaven. D'Aquila by his new reinforcement was enabled to place garrisons in these several stations; his gold was lavished among the revolters; their principals were honored with commissions from the king of Spain, and their followers taken into his pay. Admiral Leviston, who was sent to Castlehaven, after sinking and destroying some of the Spanish vessels, was by contrary winds exposed to a battery erected by the enemy on shore, which was principally directed against his ship, and did considerable execution; so that he returned to Kinsale in such a shattered state, and with such loss, as gave the enemy occasion to boast of their advantage.

Sullivan,
Hist.
Cath. p.
176.

To encrease the distress of the besiegers, the northern army commanded by Tirone now lay at six miles distance from their camp, so as to cut off all intercourse with Cork. Surrounded, and in effect besieged by their enemies, they were prevented from foraging, straitened in their provisions; their men, weakened by hunger, and harassed by the toils of a winter siege, dropt dead even upon their posts; numbers deserted, and their English supplies came in scantily and slowly. Nothing was necessary for the complete and final destruction of a little army, on which the fate of a kingdom depended, but for their Irish enemies to continue obstinately in their present situation. Tirone seems to have been sensible of this; and as his countrymen assure us, declared loudly against affording an enemy the chance of battle, who was only to be saved by some desperate effort of valor, and who must soon perish without any assault, by the severity of cold and famine. Don Juan, more captivated by the brilliant prospect of victory, sent the most pressing instances both to Tirone and O'Donnel to advance against the enemy's camp, assuring them that the weakened and diminished numbers of the

Morys.
B. II. p.
29, 30.

Sullivan,
p. 177.

Facat.
Hib.
p. 227.

the English could not furnish a third part of their trenches, and that nothing but one vigorous impression was required for obtaining a certain and an easy victory. Several of the Irish chieftains eagerly embraced the same sentiments; and Tirone, too sensible of the want of union and subordination among his unwieldy numbers, advanced reluctantly against the English camp.

*Pacat.
Hib. p.
233.*

WHILE the president was commissioned to carry on the siege, the lord deputy, with no more than twelve hundred foot and four hundred horse, marched against the rebels; and as the Spaniards, little suspecting that their besiegers would make this bold attempt, kept within their walls, the English had but one enemy to encounter. Every place of access to the town was occupied by strong guards: and so alarmed were the enemy at the dispositions made by the lord deputy, and so diffident of their own strength, that the confederate Irish, who, as they advanced, had considered only how they should dispose of their prisoners, retired with evident dismay at the first appearance of the English forces. They were pursued, halted, and offered battle, the earl of Clanricarde, and Wingfield, marshal of the army, charged their horse vigorously, who had covered the retreat, and after some short resistance, this body, composed of northern chieftains and other Irish of note, fled, to the amazement and terror of their associates. The vanguard, commanded by Tirrel, made some resistance, but was soon broken and put to flight, leaving the Spaniards of Castlehaven to the swords of the enemy; who, after some ineffectual opposition, fell bravely in the field, except a few, who with their general Ocampo were made prisoners. The main body, commanded by Tirone, was discomfited with equal ease; and the rear, in which O'Donnel was stationed, fled without attempting to strike one blow. In this rout, for such it was, twelve hundred of the enemy *Ib. p. 235.* were slain, and eight hundred wounded, with no greater

greater loss on the part of the English army than that of one cornet slain and a few soldiers wounded.

THE dreadful storm which threatened the royal army was thus dissipated at once, by a victory of such consequence, yielded with such astonishing ease. The Irish writers, shocked at this pusillanimous Sulliv. Hist. Cath. p. 179. conduct of their countrymen, affect to assert, that after this unhappy panic of his troops, Tirone would have persuaded his associates still to keep the field, and hover about the English camp; but some of them pleaded the necessity of their presence in their own country. 'O'Donnel, impatient of the first reverse of fortune, fled into Spain, in terror and despair. The Irish forces fell gradually away from an unsuccessful leader; and Tirone, stung with disappointment and disgrace, fled with the wretched remains of his followers, and concealed himself in his own territory.

THE Spanish general Don Juan, who had forced his Irish allies from a station in which they might have done most effectual service, and compelled them to meet the enemy in open field, for which an Irish army was of all others the least fitted, formed his ideas from the manners and principles of more refined countries, and had not the least suspicion that Tirone could be so easily defeated. The Moryson, B. II. p. 52. volleys which the English discharged in honor of the victory, he mistook for the signal of the Irish army's approach, and sallied from the town; but soon desecrating the Spanish colours taken, and waved in triumph by the English soldiers; and finding the besiegers fully prepared to receive him, he retired; and being informed of the circumstances of the defeat, could impute a flight so precipitate from such inferior numbers, and preceded by an evident reluctance to engage, to no other cause but some secret treachery in Tirone or his associates. In the Pacat. lib. p. 241. rage of indignation and resentment, he desired a parley with the lord deputy, and demanded that some gentleman should be sent to him, whom he

would acquaint with the conditions on which the town should be surrendered. To Sir William Godolphin, an English officer of distinction, who was employed on this occasion, he declared with all the stately dignity of a Spaniard, that as he had found an honorable though a powerful antagonist in the vice-roy, a weak, barbarous, and, as he had reason to suspect, a perfidious ally in the Irish, his respect to the one and disgust at the other induced him to an overture of composition, provided that it could be made on such terms as befitted men not compelled by necessity to surrender, confident of their strength, and of assistance from their country, and ready to endure a thousand deaths rather than yield to any one dishonorable article of accord.

He was answered, that, to prevent the effusion of blood, his overtures of accommodation were accepted, provided it could be made on such honorable terms as suited the advantages gained by the queen's forces. It was proposed, that he should resign all the places he held in Ireland to the lord-deputy; that his forces should be transported into Spain in ships which he was allowed to hire and victual for this purpose; that they should engage not to bear arms against the queen of England until they should be landed in some Spanish port; that while they were obliged to continue in Ireland, they should be treated with amity; that Don Juan should abide there until the last embarkation; but that all his treasure, ordnance, and ammunition, and all the queen's natural subjects, should be left to her absolute disposal.

This last article fired the pride of Don Juan, and was rejected with disdain. He declared, that if a proposition so dishonorable should be again but mentioned, the vice-roy from that moment should use the advantage of his sword; that if the Spaniards occupied but the single post of Baltimore, it might be defended, by its situation, against an
army

army of ten thousand, until succours should arrive from Spain, but that he was confident of maintaining his present post; that the English were indeed good soldiers, and commanded by a brave and skilful general, but they were harassed by a winter siege, and diminished by toil and sickness; that he had within the walls two thousand hardy well appointed troops, inured to the climate, with provisions for three months, and confident of speedy succours, whom he reserved to meet the vice-roy on the breach, and doubted not to lay five hundred of his scanty numbers on the earth. "But to conclude this business," said Don Juan, "the king my master sent me to assist the condes O'Nial and O'Donnel, presuming on their promise to join his forces immediately on their arrival. I expected them a long time in vain; I sustained the vice-roy's arms; I saw their utmost force collected within two miles of Kinsale; reinforced with some companies of Spaniards; every hour promising to relieve us, and in conjunction with our army to force your camps. I at length saw them broken by a handful of men, blown asunder into different parts of the world; O'Donnel into Spain, O'Nial into the furthest part of Ulster: so that I cannot find such condes *in rerum natura*. I have therefore resolved on this agreement, the rather, to disengage the king my master, from assisting a people in themselves so weak, that the whole burden of the war must lie on him; and so perfidious, that in requital of his favor they might at last betray him."

A SERIOUS attention to the state of the royal army, the danger of attempting to storm the town, and of a general revolt of the disaffected, on the least accident or disgrace, the advantage of receiving a number of places of strength, at once, which could not be reduced without a tedious and hazardous war, and the apprehensions of new succours from Spain, soon determined Mountjoy to recede from

Pacat.
Hib. p.
241.

sought no other advantage from his success, but that of continuing his precipitate flight. Mac-Eag-gan in another skirmish was slain, animating his men, with a sword in one hand and his Breviary in the other. The gradual reduction of every leader of rebellion at length brought the province to that state of composure, which gave the wretched inhabitants leisure to reflect on their calamities.

With the same vigor, and the same kind of war, did the lord deputy proceed against Tirone and the northern rebels. So closely was the earl Morvson, B. III. p. 150, 151. pursued, that he set fire to his town of Dungannon; and by building two new forts, one contiguous to the old fort of Blackwater, but in a more convenient situation, the other on the banks of Loughneagh or Lake Sidney, as it was called, about five miles from Dungannon, on the other side, Mountjoy excluded Tirone from his own territories. The former he called Charlemont, the latter, Mountjoy, from his own name and title. Seconded by Sir Arthur Chichester and Sir Henry Dowkra, he kept the rebels in perpetual terror and distress; and so disposed his forces, as to prevent every hostile attempt, and at the same time to be enabled to collect them with ease and expedition, on any foreign invasion. The miseries which the wretched Irish endured, from the vicinity of the royal forces, which prevented them from seeking any means of subsistence, were afflicting to the humanity even of their enemies. Ib. p. 200 Thousands perished by famine; and every road and district was encumbered by their unburied carcasses. The hideous resources sought for allaying the rage of hunger, were more terrible even than such desolation. Tirone was every day deserted by some followers. The sons of John O'Nial Ib. 191. escaped from their confinement, and cast themselves at the feet of the lord deputy: and what was still more mortifying to the rebel-leader, Roderic, the brother of Hugh O'Donnel, who, on the flight of this chieftain, succeeded to the command of his sept, sought

sought the protection of government, and was favorably received; as well to break the forces of the rebels, as to form a balance against Nial Garruff, who had indeed faithfully adhered to his engagements, but was grown intolerable by his insolence, and the rapaciousness of his demands.

In this extremity of distress, Tirone made overtures of accommodation with more sincerity than heretofore, arising from a more lively sense of the calamities in which he had involved himself and his countrymen. The expence of the Irish war, the uncertainty of bringing it to that speedy issue, for which the English ministry was impatient, and which their principles of œconomy made absolutely necessary, and the fear of a second invasion from Spain, determined Mountjoy to listen to these overtures with favor. But the queen obstinately forbade him to receive the arch-traitor, upon any conditions but an absolute submission to her mercy in all things, except his life: and even this concession she afterwards retracted, in peevish opposition to the sentiments of her council. Sir Robert Cecil ventured to explain the motives of this severity, to assure the lord deputy that it arose entirely from a mortifying reflection on the insolence with which Tirone had rejected all former offers of mercy; and to assure him that he should be sufficiently warranted to conclude an accommodation, if the rebel earl should seek it, with due sincerity. The manner in which this rebel should be treated, became a matter of debate and controversy in the English cabinet. And the diversity of instructions sent to the lord deputy, shewed the irresolute and distracted state of mind in which Elizabeth languished out the last period of her reign. In contradiction to her former orders, she directed Mountjoy to grant the earl a promise of life: in a few days more she enlarged her commission, and directed that he should be assured of life, liberty, and pardon. Another letter, from the secretary, immediately instructed him to grant the

Morys.
B. III. p.
231, 232.

Ib. p. 153

Ib. p. 178.

Ib. p. 157.

Ib. p. 202

the earl-pardon; either by the title of baron of Dungannon, or by some new title. So little did the English ministry study the character of the Irish, that they never once considered that the title of earl of Tirone really degraded the chieftain in the estimation of his followers: that he had long since rejected it with scorn and contempt, and trusted for his consequence to the princely name of O'Nial. While Mountjoy was distracted by this variety of instructions, he received alarming intimations of the queen's sickness, which were quickly succeeded by private assurances of her death; an event which, if once divulged, must prove of dangerous consequence in raising a new ferment in the spirits of the Irish. He therefore determined to cut off all delays, and to conclude an accommodation with Tirone, by virtue of the queen's commission, without attending to any subsequent instructions. Sir William Godolphin was dispatched to the earl, with a safe-conduct, and pressed him urgently to prevent his utter ruin, by immediately repairing to the lord deputy, and accepting those honorable conditions which he was now empowered to grant, but which might immediately be revoked.

Morys.
B. III. p.
300.

In his former pride, Tirone would have regarded such advances as an indication of the terror and weakness of government, and rejected them with contempt; but he was now reduced to a state of real humiliation. He instantly complied, and attended the lord deputy at Mellifont, by whom he was received with a dignity befitting the representative of an offended sovereign. He fell upon his knees; and petitioned for mercy with an air and aspect of distress. He subscribed his submission, conceived in the amplest manner and form. He implored the queen's gracious commiseration, and humbly sued to be restored to his dignity and the state of a subject, which he had justly forfeited. He utterly renounced the name of O'Nial with all its pre-eminence and pretended authority; abjured all foreign

foreign power, and all dependency but on the crown of England; resigned all claim to any lands, but such as should be conferred upon him by letters patent: promising to assist the state in abolishing all barbarous customs, and establishing law and civility among his people. The lord deputy, on the part of the queen, promised a full pardon to him and all his followers; to himself the restoration of his blood and honor, with a new patent for his lands except some portions reserved for certain chieftains received into favor, and some for the use of English garrisons: to which reservations the earl freely consented. This important affair being thus finally concluded, Tirone accompanied the lord deputy to Dublin; where on hearing of the death of queen Elizabeth, he was observed to burst into a flood of tears, by which he affected to express an affection to a princess, by whom he had been treated with such abundant clemency. But it was obviously apparent, that this passion really proceeded from a sense of his precipitate submission; when, by persevering but a few days, his reputation with his countrymen might have been inviolate, and the war renewed with considerable advantage; or at worst, he might have made a merit with the new sovereign, that immediately on his accession he had freely submitted to mercy. As it was now impossible to retreat, he renewed his submission, in the form before prescribed, to the king; and, by direction of the lord deputy, addressed a letter to the king of Spain, notifying this his return to his duty and allegiance, and requesting that his son, who had been entertained at the Spanish court, might be permitted to return to Ireland. No insurgent remained in this kingdom, who had not obtained or sued for mercy. Many were driven by necessity to the continent, and earned a subsistence in the armies of Spain. A race of Irish exiles was thus trained to arms, filled with the pride of family, and a malignant resentment against the English.

* **THE** ghastliness of famine and desolation, which a long series of wars had produced in Ireland, was now somewhat enlivened by the restoration of general tranquillity. The honor of completely reducing all the enemies of the crown of England in this island, after a perpetual contest of 440 years, was reserved for the arms of Elizabeth. It was acquired, not without delay, difficulty, and danger. But a nobler work still remained, that of regulating a country so long cut off by civil discord from the most valuable advantages of refinement and civility.

* The horrid accounts of famine and distress, in those parts of Ireland most exposed to the calamities of war, can scarcely be suspected of falsehood or exaggeration, when we consider the effects of these civil commotions in the very city of Dublin. I have seen an account of the rates of provisions sold in Dublin, in the year 1602, authenticated by the signature of John Tirrel, Mayor. By which it appears that

Wheat had arisen from thirty-six shillings to nine pounds the quarter.

Barley-malt, from ten shillings to forty three shillings the barrel.

Oat-malt, from five shillings to twenty-two shillings the barrel.

Pease, from five shillings to forty shillings the peck.

Oats, from three shillings and four pence to twenty shillings the barrel.

Beef from twenty-six shillings and eight pence to eight pounds the carcass.

Mutton, from three shillings to twenty-six shillings the carcass.

Veal, from ten shillings to twenty-nine shillings the carcass.

A lamb, from twelve pence to six shillings.

A pork, from eight to thirty-shillings.

CHAP. VI.

Insurrections in the reign of Elizabeth not influenced by religious motives Popish party of this reign Their principles and practices Sentence of the Spanish universities Effects of popish virulence, on the accession of James Insolence of the citizens of Cork and of Waterford Spirited conduct of Mountjoy Southern cities intimidated Act of oblivion and indemnity Favor shewn to Tirone and O'Donnel Progress of Reformation by Carew and Chichester Tainistry and Gavelkind abolished Commission of Grace cautiously executed Practices of popish ecclesiastics Proclamation against the recusant clergy Execution of penal laws Its effects Trial of Lalor Conspiracy and flight of the earls of Tirone and Tirconnel favorable to the designs of James Rebellion of O'Dogherty His cruelties His death Escheated counties of Ulster James solicitous for the plantation of them Sir Arthur Chichester an useful agent and director Scheme of the northern plantation Errors of Elizabeth's plantations corrected Adventurers Distribution of lands City of London engaged in the plantation Institution of the order of baronets Provisions for the clergy and university Execution of the scheme not entirely conformable to the original idea,

THOSE writers in the cause of popery, who A. D. 1603. represent the commotions in the reign of Elizabeth as originally resulting from the righteous zeal of piety and devotion to the church, assert, with so much disregard to facts the best authenticated, that they do not merit a particular confutation. Those whom they extol as **MACCABEES**, fighting with a disinterested fervor in support of their religion, were really ignorant, and indifferent to every mode

Moryson,
B. I.
p. 168.

mode of faith and worship. Their champion, the earl of Desmond, confessed his own total want of information, and was ready to comply with any directions, as to religion, which the English government might prescribe. And when their great partizan, the earl of Tirone, had learned to grace his insurrection by a pretended zeal for the faith, his real principles and motives were so well understood, that this hypocrisy was treated with contempt and ridicule. Hang thee!" said the earl of Essex, (and justly) "thou talk of a free exercise of religion! Thou carest as much for religion as my "horse!"

Sullivan.
Hist. Cat.
p. 117.
& alib.

THE incessant diligence, however, of the emissaries of Rome, infused the poison of religious rancour with too great success, and propagated such doctrines in this reign, as must ever be abhorred and execrated. They saw numbers of the Romish communion act with firmness and vigor, in support of that government to which they had sworn allegiance: they saw numbers of their ecclesiastics inculcating the doctrines of civil obedience and submission; and they were virulent in condemning, and industrious in counteracting such doctrines. They taught the people, that while they were unable to resist, the pope, indeed, allowed them to submit to an excommunicated princess, and an heretical government, so far as the exercise of this government did not affect the cause of their religion. But when the faith once required their assistance, it was impious and damnable not to cast off at once this mask of insidious submission; and when, by the pope's authority, an army of insurgents had arisen against the English power, not to unite in a cause so glorious, or to continue one moment on the side of government, was to renounce their eternal salvation. Bulls were produced, and spread through Ireland, to countenance these principles, which the moderate Romish clergy, affirmed to be surreptitious. The decisions of the Spanish universities were

were procured to discredit this opposition. Valladolid and Salamanca denounced 'all the vengeance of the Almighty, against those who should not unite with Tirone: but the decree of their contemptible doctors arrived too late. Tirone had already submitted.

A VIRULENT popish party was thus formed in Ireland, which the vigor of Elizabeth's government, and the success of her arms, had kept within some restraint, but which was secretly animated by the emissaries of Rome. If the laws were executed against recusants, they inveighed against the horrid and unchristian persecution; if government indulged them with lenity and connivance, they derided its fears, and affected to despise the temporizing policy. On the accession of James the first, they in some places encouraged their votaries, by assuring them that the new king was of the Romish religion; in others, they preached the infant's right of succession; and taught their ignorant disciples, that he could not be a lawful king, who had not been established by the pope, and had not sworn to defend the catholic religion. Such were the effects of these pestilent insinuations, that several cities of Leinster, and almost all the cities of Munster, now conspired to avow their contempt of penal statutes, and to restore the Romish worship in its full splendor. Disdaining to confine their devotions any longer to privacy and retirement, they ejected the reformed ministers from their churches, they seized those religious houses which had been converted to civil uses, they erected their crosses, they celebrated their masses pompously and publicly, and their ecclesiastics were seen marching in procession, clothed in the habits of their respective orders.

Salliv. H.
Cath.
p. 117.
& alib.

Moryson,
V. II.
p. 321.
333,

In Cork, the factious ecclesiastics were particularly numerous and turbulent. One of them had received, or pretended, a legantine authority from Rome; and the citizens paid a ready obedience to his commission. Their magistrates at first refused

to

Cox,
V. II.
p. 4.

to proclaim the king, demanding time *to consider of it*; and when reminded that he had been already proclaimed in Dublin, they answered coldly, that *Simmel also had been proclaimed in Dublin*. Yet, not daring to persevere in this insolent and dangerous opposition to authority, after some affected delay, they at length published the proclamation in their liberties; which they notified to the lord deputy Mountjoy, and at the same time demanded that Halbowling, a fort built in the late reign to protect the city against invasion, should be delivered into the hands of their mayor and citizens. The commissioners for executing the presidency of Munster on the departure of Sir George Carew, and the officers of the army were justly alarmed at their extravagances and determined to strengthen every post in the neighbourhood of Cork, by which the seditious inhabitants might be kept in awe: and this was effected, not without opposition and some bloodshed. To the remonstrances of the lord deputy, the citizens replied with little respect and reserve. As to the point of religion, in which they had been particularly offensive, they answered boldly, that *they only exercised now publicly, that which ever before they had been suffered to exercise privately; and as their public prayers gave testimony of their faithful hearts to the king, so they were tied to be no less careful to manifest their duties to God, in which they would never be dissembling temporizers*.

Moryson,
V. II.
p. 330.

THE seditious spirit, thus diffused through the cities of the south, was particularly provoking and distressing, at a time when the whole attention of government was required to relieve the nation from those afflicting calamities, which a series of wars and devastations had produced. Mountjoy soon determined to march into Munster at the head of the royal army. At Waterford he found the gates shut against him: the citizens pleaded, that by a charter of king John, they were exempt from quartering soldiers. Two ecclesiastics, in the habits of their order,

order, and, with the cross erected, presented them-
 selves before the lord deputy in his camp, and in-
 solently declared, that the citizens of Waterford
 could not in conscience obey any prince that perse-
 cuted the catholic faith*. But although he conde-
 scended to listen to these ecclesiastics, and took the
 advantage of his theological studies, to detect their
 false quotations from the Fathers, yet he treated the
 citizens with the severity of an offended governor.
 He threatened to *draw king James's sword, and cut
 the charter of king John to pieces*, to level their city
 with the ground, and strew it with salt: and his
 menaces were effectual. He was immediately ad-
 mitted; the inhabitants at once swore allegiance,
 and renounced all foreign jurisdiction; and a strong
 garrison was stationed in their city, to deter them
 from any future insolences.

CASHEL, Clonmel, Limerick, and other cities, Moryson,
 which had declared for the free and public exercise V. II.
 of popery, were intimidated by the spirit of Mount. P. 311.
 joy, and reduced to the same compliances. Cork
 had been actually invested by the southern forces,

as

* " Doctor White, accompanied by a young dominican friar, came
 " into the camp: but when they foolishly carried a crucifix, openly
 " shewing the same, the soldiers were hardly kept from offering them
 " violence, and when they put up the crucifix in their pockets, yet could
 " hardly endure the sight of their habits, which each wore according to
 " his order, Doctor White wearing a black gown and cornered cap, and
 " the friar wearing a white woollen frock. White being come into his
 " lordship's tent, was bold to maintain erroneous and dangerous posi-
 " tions, for maintenance of that which the citizens had done, in the re-
 " forming of religion without public authority, *all which his lordship*
 " *did* (as no layman I think could better do) *most learnedly confute.*
 " And when White cited a place of St. Austin for his proof, his lord-
 " ship *having the book in his tent*, shewed all the company that he had
 " falsely cited that father: for howsoever his very words were found
 " there, yet were they set down by way of an assertion, which St.
 " Austin confuted in the discourse following. At this surprisal White
 " was somewhat out of countenance, and the citizens ashamed."
 Moryson, B. III. c. ii. p. 336.

as a rebellious city; but on the first appearance of the lord deputy, the gates were opened to him without treaty or stipulation. A few of the inferior agents of rebellion were executed by martial law; Mead, the recorder of the city, a capital incendiary, was tried, and acquitted by the manifest partiality of his jury; the rest were reminded of their outrageous defiance of the laws, in their forcible establishment of the popish worship, in seizing the king's stores, attacking his forces and killing his subjects: but as they consented to redeem their error by swearing allegiance to the king, and abjuring all foreign dependencies, they were treated with lenity; and a garrison stationed, as in other cities, to restrain their turbulence.

Davis.

THESE mutinous attempts of the Southerns being thus vigorously opposed and suppressed, the state had leisure to devise expedients for healing the wounds of civil discord, and extinguishing the remains of disorder and animosity. By the suppression of rebellion the minds of men were prepared and broken to obedience; but it was justly conceived that the public peace could not be completely settled, until their jealousies and apprehensions were allayed, by securing them from the danger of the law, which most had incurred in a time of general confusion. For this purpose an act of state, called AN ACT OF OBLIVION AND INDEMNITY, was published by proclamation under the great seal. All offences against the crown, all particular trespasses between subjects, committed at any time before the king's accession, were pardoned and utterly extinguished, never to be revived or called in question; and the whole body of the Irish yeomanry, who were, in former times, for the most part left under the tyranny of their chieftains, without defence or justice from the crown, were now received into his majesty's immediate protection. This salutary ordinance was the last act of Mountjoy's honorable administration. He was constituted lord lieutenant of

Moryson:

of Ireland, but permitted to appoint Sir George Carew his deputy, and returned to England, attended by the earl of Tirone and Roderic O'Donnel, the brother and rival of Nial Garruff, whose insolence grew so offensive, that government was well pleased to favor his competitor. Both the Irish chieftains were received by the king with marks of favor: Roderic was, by the good offices of Mountjoy, created earl of Tirconnell; Tirone was confirmed in his honors and possessions; but such was the aversion expressed by the populace against the man, by whose rebellion so many of their friends had fallen, that he could not travel in security, without a powerful escort*.

FROM the restoration of public peace the state proceeded to the extension of law, and the establishment of public justice. During the short administration of Carew, sheriffs were sent into the counties of Tirconnell and Tirone, and itinerant judges visited the whole northern province; "which visitation," saith Sir John Davis, one of these judges, "though it were somewhat distasteful to the Irish lords, was most welcome to the common people, who, albeit they were rude and barbarous, yet did they quickly apprehend the difference between the tyranny and oppression under which they had lived before, and the just government and protection which we promised unto them for the A. D. time to come." Sir Arthur Chichester, who succeeded 1604.

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* From the gracious manner in which Tirone was treated, his countrymen and associates conceived, that the king's ideas of their power and consequence were as exalted as their own, that he really dreaded them, and would not hazard a refusal of any request they could make. By their friends, now resident at the court of England, they presented a petition to the throne for the free and public toleration of the Romish worship. Whatever were the real principles of James, nothing could have been more indiscreet and premature than this petition. It determined him to behave with more reserve to the Irish lords, and to be less lavish of his professions of grace. Cox, e MSS. Lamb.

Davis's
Reports.

ceded to Carew, advanced the work of reformation yet farther. The dangerous sept of O'Byrnes, who had for ages harassed even the capital by their insurrections, he brought into due conformity to government, composed their mutual contentions, and converted their territory into an English county; he established sessions of justice in the province of Connaught, and restored the circuit of Munster, after a discontinuance of two hundred years. The old Irish customs of Tainstry and Gavelkind were abolished by judgment in the king's bench, and the Irish estates thereby made descendible, according to the course of the common law of England. In exchange for the Brehon jurisdiction, the native Irish were thus invested with all the privileges of subjects, and admitted to all the benefits of the English law. Inferiors were emancipated from the tyranny of barbarous chieftains; and the whole body of old natives were taught to regard the system of English polity more favorably, when it was executed, with general impartiality, without oppression or impunity, not like that mockery of justice, by which they had been too often insulted.

Davis's
View.

THE next necessary measure for the pacification of the realm, was that of ascertaining the rights of individuals, and settling the estates and possessions of all its inhabitants. In the twelfth year of Elizabeth a law had been made, enabling the lord deputy to accept, surrender, and re-grant estates to the Irish yeomanry. Yet few surrendered, and these few obtained grants of entire countries, without any attention to inferior septs. These were abandoned to the tyranny and exaction of their chieftain; who was the only freeholder, and the only tenant of the crown thus constituted, in an extensive district, inhabited by his rude and slavish vassals. Others, who refused to surrender, yet contrived to be appointed chieftains of their country, by letters patent; and thus sanctified their barbarous oppressions by the royal authority. But to the honor of king James,

James, he adopted a more liberal and equitable policy. A COMMISSION OF GRACE, as it was called, issued under the great seal of England, for securing the subjects of Ireland against all claims of the crown. The chief governor was empowered to accept the surrenders of those Irish lords who held estates by their old precarious tenure, and to re-grant them by a more legal title, and on more lasting security. Many embraced the opportunity of converting their present tenure for life, to an estate in fee, which descended to their children. Many dreaded the consequences of their late treason, and were impatient to receive their possessions by a new investiture; so that the commission instantly produced a general surrender of lands. No chieftainries were now granted by patent, no pretended officers of justice were stationed in distant countries to exercise an Irish seigniority over the wretched people; and every surrender was received with caution and deliberation. A careful enquiry was made of the quantity and limits of the land reputed to be in possession of the lord who tendered his estate to the crown, of his own immediate demesne, of the lands possessed by his tenants and followers: and of the Irish duties and customs received from them, which were reduced by estimation to a certain yearly value. The lord, by his new patent was invested only with the lands found to be in his immediate possession. His followers were confirmed in their tenures, on condition only of paying him the annual rent at which his duties were rated, in the place of all uncertain Irish exactions. Building, planting, cultivation, and civility, were consequences obvious to be expected from such regulations. And the trading towns and corporations through the kingdom soon followed the example of these lords; they surrendered their old, ^{Charters,} and accepted new charters, with such regulations ^{Orms. B. 5.} and privileges, as tended to keep them in subjection ^{P. 14.} to the crown, and advance the interests of peace and commerce.

BUT

BUT the progress of these schemes of reformation, as well as their effects, were unhapily interrupted and retarded, by the virulence of religious faction. It was not without some reason, that the numerous body of catholics in Ireland presumed on the favor of the new king, and his partiality to their communion. They had frequent opportunities, by those emissaries of Rome who were continually pouring into their country, to be informed of his transactions with the pontiff, while king of Scots, and of the expectations conceived of his conversion. The sentiments which he expressed with respect to

K. James's
speech to
parlia-
ment.

Cox, Vol.
II. p. 10.

popery, to his first parliament, were but a repetition of those opinions which he had avowed on other occasions; and every expression of tenderness to what he called the *mother-church*, and every rumour of his secret intentions, were industriously propagated and magnified to a credulous people, removed at a great distance from authentic information. Popish ecclesiastics practised with their votaries in several quarters of the kingdom, without any decent caution or restraint. They denounced the vengeance of their spiritual authority on all those who should attend on the established worship, or dissemble the religious principles in which they had been educated. Abbeyes and monasteries were repaired, churches refitted and furnished for the Romish rites, which were again publicly celebrated in several parts of the realm. The popish clergy proceeded yet further, and, with an insolence which no religious principles could excuse, presumed to arraign the civil administration, to review causes determined in the king's courts, and to enjoin the people, as they tendered their salvation, to obey their decisions, not those of the law.

K. James's
speech to
parlia-
ment.

BUT whatever tenderness of indulgence James expressed for the religious tenets of Rome, he had a sincere abhorrence of those who taught the supreme authority of the pope, and what he called, "an imperial civil power over kings and emperors," to

“ to dethrone and decrown them at his pleasure,” and to sanctify the foulest acts of treason and rebellion; and whatever were his private dispositions, he was obliged to keep some terms with the puritans; who whispered their suspicions of his being popishly inclined. As he had therefore published a proclamation in England, commanding all Jesuits and other priests, having orders from any foreign power to depart from the kingdom, so, by a like proclamation, were the popish clergy of Ireland commanded to depart within a limited time, unless they consented to conform to the laws of the land. This ordinance was intended to be executed with equal lenity in both kingdoms; but in Ireland, instead of terrifying the delinquents, it enraged them. They who exercised the most tyrannical dominion over the consciences of men, represented it as an horrid instance of implacable persecution. The chief governor and council were witnesses of the daring spirit of these recusants, and deemed it their peculiar duty to guard against their outrages; they determined to revive those statutes which were insulted with such confidence, and began by enjoining the magistrates and chief citizens of Dublin to repair to the established churches. Repeated admonitions and conferences served but to render them more obstinate. They were fined and committed to prison; when in an instant, all the old English families of the Pale took the alarm, and boldly remonstrated against the severity of these proceedings. They denied the legality of the sentence, by which these severities were inflicted; and urged, that by the act of the second year of queen Elizabeth, the crime of recusancy had its punishment ascertained; and that any extension of the penalty enacted by this statute was illegal and unconstitutional. Their remonstrance, and petition for the free exercise of religion, was presented to the council, by an unusual concourse, on the very day when intelligence was received of the gun-powder conspiracy, a circumstance

Cox, V. II.
p. 10.

A. D.
1605.

Chichester's State
Letters.
MS. Trin.
Col. Dub.

cumstance which awakened the jealousy of the king's ministers and made them suspect some concert between the conspirators of England and the popish party of Ireland. The chief petitioners were confined in the castle of Dublin, and Sir Patrick Barnwall, their great agent, was, by the king's command, sent in custody into England.

Chichester's State Letters, MS. Trin. Col. Dub. A. D. 1606.

Davis's Reports, case of *premunire*.

Chichester's St. Let. MS.

In the midst of these contests a contemptible popish ecclesiastic, called Lalor, was seized in consequence of the royal proclamation; a circumstance which served to encrease the general clamor and discontent of his party. He had exercised the office of vicar general, in several dioceses of Leinster by virtue of a commission from Rome. But fear so wrought upon this wretched idol of the popish party, that he made a formal declaration, confirmed by oath, of the unlawfulness of his office, renouncing all foreign jurisdiction, and acknowledging the king's supremacy, in the amplest manner. His party was scandalized at these concessions; and to these he privately denied them. This was detected by government; and he defended it by the meanest equivocation. He confessed to have told his friends that he had never acknowledged the king's supremacy in spiritual causes, and it was true; for the word in his confession was *ecclesiastical*. He was brought to trial, on the statute of *premunire* of the sixteenth of Richard the second, to convince the Irish that the late declarations of the royal supremacy were but an assertion of the ancient constitutional rights of the crown. But though condemned yet no sentence appears to have been executed. James's counsellors recommended to the lord deputy to reclaim recusants by the gentle methods of instruction and exhortation. And the zeal of Sir Arthur Chichester ended where it should have begun, with an attempt to reform the established clergy, to enforce a particular attention to their duty, and to procure a translation of the scriptures

tures and common prayer into the Irish language, for the instruction of the ignorant natives.

THE confidence with which the recusants of the Pale had demanded the toleration of their religion, the assiduity, the apparent inveteracy and insolence of their party, together with a serious reflection on the influence of popish emissaries, and the disorders they had fomented in the late reign, tended naturally to keep the government in a state of perpetual alarm and suspicion; and gave weight to every rumor of insurrection and conspiracy. A letter, ^{Cox, ex MS. Lam.} dropt in the privy-council chamber, intimated a traitorous scheme of rebellion formed, by the earls of Tirone and Tirconnel, and other Irish lords and gentlemen of the North; that they had solicited assistance from Spain and Brussels, and intended to begin the war with surprizing the castle of Dublin, and assassinating the lord deputy and council. It seems extraordinary that the Northerns, who were still smarting with the chastisement they had received in the late rebellion, whose consequence and influence were considerably diminished, and who were very lately reconciled to government, and invested with their honors and estates, should precipitately involve themselves in the peril of a new rebellion. And yet it is certain, that on the very first alarm of government Tirone and Tirconnel fled to the continent, and abandoned their vast ^{Sullivan} possessions to the disposal of the crown. The writers of the Romish party have asserted, but without any proof or circumstance of credibility, that they had been seduced into some private conferences, by one of the family of Saint Laurence, and afterwards betrayed by him to the lord deputy*. But

* The account of this extraordinary flight of Tirone, which seems to have prevailed at this time in England, we find in a tract written by Carleton, bishop of Chichester, entitled a *Thankful Remembrance of God's Mercies*, &c. The author tells us, on the authority of the then bishop of Meath, that Mountgomery, prelate of Armagh, had a contest with

But had any art or treachery been used to render them obnoxious to the law, they had the fullest opportunity of explaining the deep scheme, and leaving some memorials in vindication of their conduct, either in Spain or Rome, where they were entertained and protected. But as no such memorials have appeared, they seem to have acquiesced in the charge of conspiring against the English government; and to have recommended themselves to those of their own communion, as men who had sacrificed their honors and possessions to the freedom of their country and the interests of religion.

Nothing could be more favorable to that passion which James indulged for reforming Ireland, by the introduction of English law and civility, than the temerity of these Northerners, and their precipitate flight. The greatest and most valuable part of Ulster was thus abandoned to his disposal, and opened a fair field for the exercise of that policy in which he affected to excel. To take the speediest advantage of this incident, judges were instantly dispatched into the counties of Tirone and Tirconnel; some of the conspirators, who had been seized, were tried, condemned, and executed; and the two earls, with

Cox, ex
MS. Lam.

with Tirone for lands usurped from his see. O'Cahan, an Irishman, and creature of Tirone, was well acquainted with these lands, and the person best qualified to discover them to the primate, and establish his right. For this purpose he freely offered his services, and solemnly bound himself to support the archbishop in his claim. Mountgoutery was thus encouraged to commence his suit. Tirone was summoned to appear before the privy council to answer his plaint. He heard of O'Cahan's secret conferences with the primate. Conscious of his own traitorous machinations, to which this Irishman was privy, he at once concluded that all his designs had been betrayed, and that the suit was nothing more than a pretence to get him into the power of government. His accomplices were readily possessed with the same fears: and thus, by a precipitate flight, they discovered that treason, which their creature, O'Cahan, had really kept concealed.

with other fugitives of inferior note, were attainted by process of outlawry, according to the course of common law. To guard against the clamors of popish agents, who were ready to complain that these lords had been treated with severity on account of their conscientious profession of the Romish faith, a royal proclamation was issued, in which the king de-
 VOL. II. 3 H A. D. 1607.
 clared,

* This Proclamation is extant among the MSS. of the Lambeth library, M. No. 617. p. 96. from whence it is here copied.

By the KING.

A Proclamation, touching the Earles of Tirone and Tirconnel.

Seeing it is common and natural in all persons of what condition soever, to speak and judge variably of all new and sudden accidents; and that the flight of the Earles of Tirone and Tirconnel, with some others of their fellows out of the north parts of our realme of Ireland, may haply prove a subject of like discourse: We have thought it not amiss to deliver some such matter in publike, as may better cleare mens judgements concerning the same; not in respect of any worth or value in these mens persons, being base and rude in their originall, but to take away all such inconveniences as may blemish the reputation of that friendship, which ought to be mutually observed betweene us and other princes. For although it is not unlikely, that the report of their titles and dignities, may draw from princes and states some such courtesies at their first coming abroad, as are incident to men of extraordinary rancke and qualitie: yet, when wee have taken the best meanes wee can to lay them open in every condition, wee shall then expect from our friends and neighbours all such just and noble proceedings as stand with the rules of honor and friendship, and from our subjects, at home and abroad, that duety and obedience (in their carriage toward them) which they owe to us by inseperable bonds and obligations of nature and loyaltie, whereof wee intend to take streight accompt. For which purpose, wee do hereby first declare, that these persons abovementioned had not their creations or possessions in regard of any lineall or lawfull descent from ancestors of blood or vertue; but were onely preferred by the late queene our sister of famous memory, and by our selves, for some reasons of state before others, who for their qualitie and birth (in those provinces where they dwell) might better have challenged those honours which were conferred upon them. Secondly, wee doe profess, that it is both known to us and our counsell here, and to our deputie and state there, and so shall it appeare to the world (as cleare as the sunne) by evident proofes, that the onely ground
 and

clared, that they had not the least shadow of molestation, that there was no purpose of proceeding against them in matters of religion; that their manners

and motive of this high contempt in these men's departure, hath been the private knowledge and inward terror of their owne guiltinesse: whereof, because wee heare that they doe seeke to take away the blot and infamie, by divulging that they have withdrawn themselves for matter of religion (a cloake that serves too much in these dayes to cover many evill intentions) adding also thereunto, some other vaine pretexs of receiving injustice, when their righte and claims have come in question betweene them and us, or any of our subjects and them, wee think it not impertinent to say somewhat thereof.

And therefore, although wee judge it needlesse to seek for many arguments to confirm whatsoever shall be said of these men's corruption and falshood, (whose hainous offences remaine so fresh in memorie, since they declared themselves so very monsters in nature, as they did not only withdraw themselves from their personall obedience to their sovereigne, but were content to sell over their native countrey, to those that stood at that time in the highest terms of hostilitie with the two crownes of England and Ireland) yet, to make the absurditie and ingratitude of the allegations abovementioned, so much the more cleare to all men of equall judgment, wee doe hereby professe in the worde of a kinge, that there never was so much as any shadowe of molestation, nor purpose of proceeding in any degree against them for matter concerning religion. Such being their condition and profession, to thinke murder no fault, marriage of no use, nor any man worthy to be esteemed valiant that did not glorie in rapine and oppression; as we should have thought it an unreasonable thing to trouble them for any different point in religion, before any man could perceive by their conversation, that they made truely conscience of any religion. So do wee also for the second part of their excuse affirme, that (notwithstanding all that they can claime, must be acknowledged to proceed from meere grace upon their submission after their great and unnaturall treasons) there hath never come any question concerning their rights or possessions, wherein wee have not bene more inclinable to doe them favour then to any of their competitors, except in those cases wherein wee have plainly discerned that their onely end was to have made themselves by degrees more able than now they are, to resist all lawfull authoritie (when they should returne to their vomit againe) by usurping a power over other good subjects of ours, that dwell among them, better borne then they, and utterly disclaiming from any dependencie upon them.

Having

ners were so barbarous and unchristian, as to make it unreasonable to trouble them about any modes of faith and worship, until it could be perceived that they had any religion at all; that they had stirred up sedition and intestine rebellion, by their agents had applied to foreign powers for assistance, and under pretence of shaking off the yoke of English government, meditated nothing less than the extirpation of all the king's subjects in Ireland of the old English race.

BUT

Having now delivered thus much concerning these mens estates and their proceedings, wee will onely end with this conclusion, that they shal not be able to denie, whensoever they should dare to present themselves before the seate of justice, that they have (before the running out of our kingdome) not onely entered into combination for stirring sedition and intestine rebellion, but have directed divers instruments, as well priestes as others, to make offers to foreine states and princes (if they had bene as ready to receive them) of their readinesse and resolution to adhere to them whensoever they should seeke to invade that kingdome. Wherein, amongst other things, this is not to be forgotten, that under the condition of being made free from English government, they resolved also to comprehend the utter extirpation of all those subjects that are nowe remayning alive within that kingdome, formerly descended from the English race. In which practices and propositions, followed and fomented by priestes and Jesuites (of whose function in these times the practise and perswasion of subjects to rebell against their soveraignes, is one special and essential part and portion) as they have found no such encouragement as they expected and have boasted of; so wee doe assure ourselves, that when this declaration shall bee seene and duely weighed with all due circumstances, it will bee of force sufficient to disperse and to discredit all such untrueths, as these contemptible creatures, so full of infidelity and ingratitude, shall disgorge against us, and our just and moderate proceeding, and shall procure unto them no better usage than they would wish should be afforded to any such packes of rebells, borne their subjects, and bound unto them in so many and so great obligations.

Given at our palace of Westminster, the fifteenth day of November in the fifth yeere of our reigne of Great Britain, France, and Ireland:

GOD SAVE THE KING.

Cox, ex
MS.
Lamb

A. D.
1608.

BUT whatever advantages were expected from these treasonable attempts of the Northerns, the projects of the king and his ministers were for some time suspended by a real and effectual insurrection, though not of the greatest moment. Sir Cahir O'Dogherty (for he had received the honor of knighthood) proprietor of Innishowen and the adjacent district, in the pride of youth, and the barbarous prepossessions of an Irish chieftain, determined to assert his independency, and bid defiance to English government. Sir Henry Dowckra, who, in the late reign, had been employed to plant a powerful English garrison at Loughfoyle, assigned the government of Derry to Sir George Paulet, and committed the neighbouring fort of Culmore to Hart, a valiant English officer. O'Dogherty pretended to live in amity with Hart; but watching his opportunity, invited him to his house, and there threatened him with immediate death, if Culmore were not instantly resigned. The English officer disdainfully refused to betray his trust, although a number of ruffians burst into the chamber, and held their weapons at his throat. The wives of Hart and O'Dogherty entered opportunely to prevent their barbarous execution; but the Irish chieftain so wrought on the terrors of his female guest, that, while her husband was detained a prisoner, the unhappy woman consented to attend him to Culmore, and by a fictitious tale gained admittance into the fort for him and his ruffians. Her own life and that of her husband were indeed spared; but her brother and the whole garrison, were instantly massacred by the Irish. Their chieftain, in his brutal triumph, proceeded to attack the town and fort of Derry; they were taken with little resistance, and the garrison put to the sword, together with the commander, Paulet, who was said to have particularly provoked the vengeance of O'Dogherty, by striking him on some occasion of dispute. The town was thus abandoned to the rapine of the Irish, who, when they had plundered it of every thing

thing valuable, burnt it to the ground, and hastened to attack some other English stations. The insurrection thus grew more considerable; but though the vanity of the Irish leader inspired him with vast expectations of assistance, both from his countrymen and from foreign powers, yet the terror of a vigilant government effectually awed the disaffected. Wingfield, marshal of the army, was detached against the rebels with a considerable body. At his approach, their garrison set fire to Culmore and retired; but O'Dogherty still continued the war, in Sullivan the manner of his countrymen, appearing suddenly, harassing the enemy, and retiring. Elated with some petty advantages, he even ventured to issue from his woods, and make head against the lord deputy, who had marched to the assistance of Wingfield; but an accidental shot put an end, at once to his life and the insurrection he had raised and maintained for five months. His followers dispersed to their several retreats; and some of them who fell into the hands of the royalists, were executed with a necessary severity.

THESE repeated efforts of the native Irish to harass and distress that government which they could have no rational expectations of subduing, only served to confirm their subjection. By their conspiracies and rebellions a vast tract of land escheated to the crown, in six northern counties, Tirconnel, now called Donnegal, Tirone, Derry, Fermanagh, Cavan, and Armagh, amounting to about five hundred thousand acres; a tract of country covered with woods, where robbers and rebels found a secure shelter, desolated by war and famine, and destined to lie waste, without the deliberate and vigorous interposition of English government. James, who affected to derive his glory from the arts of peace, resolved to dispose of these lands in such manner, as might introduce all the happy consequences of peace and cultivation. The experience of age bears the most honorable testimony to the design:

design: and Ireland must gratefully acknowledge that here were the first foundations laid of its affluence and security.

JAMES was no stranger to the errors and miscarriages of the plantation formed in Munster, by his predecessor; and had a just conception of the importance of his present scheme. He proceeded with deliberation; he enquired, consulted, and encouraged men of experience and abilities to propose their plans. The thoughts of lord Bacon on this subject had been more precise and accurate, if his great genius had been assisted by a competent knowledge of the state of Ireland. But the man whose counsels were of greatest service on this interesting occasion, was Sir Arthur Chichester, now lord deputy of this realm. He had capacity, judgment, firmness, and experience, and was already distinguished by his services both in war and peace. What was of greatest consequence, no man was better acquainted with the territories to be planted, the state of the inhabitants, their characters, expectations, and pretensions; so that none could be better qualified to propose a scheme for the plantation, or to direct the execution of it. He caused surveys to be taken of the several counties where the new settlements were to be established, described particularly the state of each, pointed out the situations proper for the erection of towns and castles, delineated the characters of the Irish chieftains, the manner in which they should be treated, the temper and circumstances of the old inhabitants, the rights of new purchasers, and the claims of both, the impediments which had obstructed former plantations, and the methods of removing them.

Carte,
Life of
Orm. p.
16.

Ibid.

At his instances it was resolved, that the persons to whom lands were assigned, should be either new undertakers from Great Britain, and especially from Scotland, where it was supposed, that the inhabitants might be readily tempted to remove, by a short and easy passage, into a country more fertile than

than their own; or **SERVITORS**, as they were called, that is, men who had for some time served in Ireland, either in military or civil offices; or old Irish chieftains and inhabitants. In the last sort were included even those Irish who had engaged in the rebellion of Tirone, and still harboured their secret discontents. To gain them, if possible, by favor and lenity, they were treated with particular indulgence. Their under-tenants and servants were allowed to be of their own country and religion; and while all the other planters were obliged to take the oath of supremacy, they were tacitly exempted. The servitors were allowed to take their tenants either from Ireland or Britain, so that no recusants were admitted; the British undertakers were confined to entertain English and Scottish only.

Orders for
planting
Ulster.
Harris's
Hiberni-
ca.

In the plantations of Elizabeth, Irish and English had been mixed together, from a fond imagination that the one would have learned civility and industry from the other. But experience had now discovered, that by this intercourse the Irish learned only to envy the superior comforts of their English neighbours, and to take the advantage of a free access to their houses, to steal their goods, and plot against their lives. It was, therefore, now deemed necessary to plant them in separate quarters; and in the choice of these situations, the errors of former times were carefully corrected. The original English adventurers, on their first settlement in Ireland, were captivated by the fair appearance of the plain and open districts. Here they erected their castles and habitations; and forced the old natives into the woods and mountains, their natural fortresses: thither they drove their preys, there they kept themselves unknown, living by the milk of their kine, without husbandry or tillage; there they increased to infinite numbers by promiscuous generation; and there they held their assemblies, and formed their conspiracies without discovery. But now, the northern Irish were destined to the most open

Carta.
Ormy.

open and accessible parts of their country, where they might lie under the constant inspection of their neighbours, and be gradually habituated to agriculture and the mechanic arts. To the British adventurers were assigned places of the greatest strength and command; to the servitors, stations of most danger, and greatest advantage to the service of the crown: but as this appeared a peculiar hardship, they were allowed guards and entertainment, until the country should be quietly and completely planted.

IRELAND had for ages experienced the inconvenience of enormous grants to particular lords, attended with such privileges as obstructed the administration of civil government: and even in the late reign, favorite undertakers had been gratified with such portions of land, as they were by no means able to plant. But, by the present scheme, the lands to be planted were divided in three different proportions; the greatest to consist of two thousand English acres, the least of one thousand, and the middle of fifteen hundred. One half of the escheated lands, in each county, was assigned to the smallest, the other moiety divided between the other proportions: and the general distributions being thus ascertained, to prevent all disputes between the undertakers, their settlements in the respective districts were to be determined by lot.

Project for
division of
escheated
lands in
Ulster.
Harris's
Hiberni-
ca.

Orders for
the plant-
ers of Ul-
ster. Ibid.

ESTATES were assigned to all, to be held of them and their heirs: the undertakers of two thousand acres were to hold of the king *in capite*; those of fifteen hundred, by knight's service; those of a thousand, in common socage. The first were to build a castle and enclose a strong court-yard, or *bawn*, as it was called, within four years; the second, to finish an house and bawn within two years; and the third to enclose a bawn; for even this rude species of fortification was accounted no inconsiderable defence against the incursions of an Irish enemy. The first were to plant upon their lands, within three years, forty-eight able men of English

or

or Scottish birth, to be reduced to twenty families; to keep a demesne of six hundred acres in their own hands, to have four fee-farmers on a hundred and twenty acres each; six lease-holders, each on one hundred acres; and on the rest eight families of husbandmen, artificers, and cottagers. The others were under the like obligations, proportionably. All were, for five years after the date of their patents, to reside upon their lands, either in person, or by such agents as should be approved by the state; and to keep a sufficient quantity of arms for defence. The British and servitors were not to alienate their lands to mere Irish, or to demise any portions of them to such persons as should refuse to take the oaths to government: they were to let them at determined rents, and for no less term than twenty-one years, or three lives: their tenants' houses were to be built after the English fashion, and united together in towns or villages. They had power to erect manors, to hold courts-baron, and to create tenures. The old natives, whose estates were granted in fee-simple, to be held in socage, were allowed the like privileges. They were enjoined to set their lands at certain rents, and for the like terms as the other undertakers, to take no Irish exaction from their inferior tenants, and to oblige them to forsake their old Scythian custom of wandering with their cattle from place to place for pasture, or CREAGHTING, as they called it; to dwell in towns, and conform to the English manner of tillage and husbandry. An annual rent from all the lands was reserved to the crown, for every sixty English acres, six shillings and eight pence from the British undertakers, ten shillings from servitors, and thirteen shillings and four pence from Irish natives. But for two years they were exempt from such payment; except the natives, who were not subject to the charge of transportation.

WHAT gave particular credit to this undertaking, was the capital part which the city of London

Iett. of
Sir T.
Philipa.

Coz. V. II.
p. 16.

Selden.

Carte,
Orm. p.
17, 18.

was persuaded to assume in it. The king was sensible. (as he expressed it) that "When his enemies should hear that the famous city of London had a footing therein, they would be terrified from looking into Ireland, the back-door to England and Scotland." The corporation accepted of large grants in the county of Derry, or Londonderry, (for that was the new title both of the county and its capital city.) They engaged to expend twenty thousand pounds on the plantation, to build the cities of Derry and Colerain, and stipulated for such privileges as might make their settlements convenient and respectable. As a competent force was necessary to protect this infant plantation, the king, to support the charge, or at least with this pretence, instituted the order of BARONETS, an hereditary dignity, to be conferred on a number not exceeding two hundred: each of whom, on passing his patent, was to pay into the exchequer such a sum as would maintain thirty men in Ulster, for three years, at eight pence daily pay.

BUT scarcely had the lands been allotted to the different patentees, when considerable portions were reclaimed by the clergy as their rightful property*. And

* They were reclaimed by the title of **TERMON**, **CORBE**, and **HERENACH** lands. In the northern parts of Ireland, which had not been completely reduced, and where the pope still disposed of clerical dignities, the ancient ecclesiastical institutions remained unaltered. And these terms were strange and inexplicable to English government. Jurors in the several inquisitions were required to give such information about them as they could obtain. Sir John Davis endeavoured to investigate the nature of the lands called **TERMON**, and of the persons styled **CORBES** and **HERENACHES**; and it appears from his letter to lord Salisbury, among the MSS. of Trinity College, Dublin, that he thought them peculiar to the more Irish countries of all other parts of Christendom. The learned doctor James Usher employed his abilities on this occasion with more success, investigated their nature and origin, and demonstrated the similitude of the ancient ecclesiastical institutions of Ireland, to those of other countries of Europe. The original of his tract, on this subject, still remains in the same repository of papers relative to Irish affairs.

The

And so far had the estates of the northern bishoprics been embarrassed, both by the usurpations of the Irish lords, and the claims of patentees, that they

The following is the substance of it, omitting the learned authorities produced by the author.

In old times it was provided, that whoever founded a church should endow it with certain lands, for the maintenance of divine worship therein. The founder was to deliver to the bishop an instrument of such donation before the church could be dedicated: and from thenceforward the ordering and disposing of these lands pertained entirely to the bishop.

In consequence of such donation these lands became exempt from all charges of temporal lords, were entitled to the right of sanctuary and other immunities. Hence they were called *TEARMUIN* or *TERMON* that is *PRIVILEGED* lands. They were occupied by laymen, both vilians and free tenants, who husbanded the same, both for the behoof of themselves and families, and likewise for the use of the church; and were called *ecclesiastical* tenants. *Servi et homines ecclesiastici*.

To receive and to apply the rents paid by such tenants, it was thought necessary that every church should have its *aeconomus* or *archdeacon*, called by the Irish *aireinneach* or *herenach*. "I mean," saith the author, "the ancient archidiaconi, who, in degree, were inferior to the presbyteri, not the archdeacons of higher rank that exercise jurisdiction under the bishop; and to that former kind of archidiaconi do I refer the *HERENACHS*; who therefore were so many in number in every diocese, and, for ought I can learn, were wont to be admitted ad primam tonsuram, et diaconatum, and not promoted ad presbyterium."

A number of these *herenachs* were again superintended by an officer of greater dignity, called *CORBE*, *CORBAUH*, or *COMHURBA*; whom the author supposes to be the same with *chorepiscopus* or *archipresbyter*. The Irish clergy called him, in Latin, *plebanus, qui plebi ecclesiasticis matricis ecclesiae praeest*. The name *comhurba*, he observes occurs frequently in the early annals of Ireland. But it is no impeachment of the learned prelate's accuracy to observe, that in these annals the word is taken evidently in another sense, and signifies the *prelate* himself, or *successor* of the first Irish saint who presided in his diocese. Thus the *comhurba* of *Saint Patrick* means the then archbishop of Armagh, the *comhurba* of *Kiuran*, the Bishop of Clonmacnoise. And so the word is explained by Colgan in his *Trias Thau-naturga*.

The *herenachs*, under the direction and care of the *corbes*, or *chorepiscopi*, resided on the *termon* lands, and distributed their profits to the bishop, the inferior clergy to the repairs of churches, and the

they scarcely afforded a competent, much less an honorable provision for men of worth and learning; while the state of the parochial clergy was still more deplorable. Most of the northern churches had been either destroyed in the late wars, or fallen to ruin: the benefices were small, and either shamefully kept by the bishops, in the way of commendam or sequestration, or filled with ministers as scandalous as their income. The wretched flock was totally abandoned; and for many years divine service had not been used in any parish church of Ulster, except in cities or great towns. To remedy these abuses, and to make some proper provision for the instruction of a people immersed in lamentable ignorance; the king ordained, that all ecclesiastical lands should be restored to their respective sees and churches; and that all lands should be deemed ecclesiastical, from which bishops had in former times received rents or pensions: that compositions should be made with the patentees for the site of cathedral churches, the residences of bishops and dignitaries, and other church-lands, which were not intended to be conveyed to them; who were to receive equivalents, if they compounded freely: else, to be deprived of their patents, as the king was deceived in his grant; and the possessions restored to the church.

To provide for the inferior clergy, the bishops were obliged to resign all their impropriations, and relinquish the tythes paid them out of parishes, to the respective incumbents, for which ample recompence was made out of the king's lands. Every proportion allotted to undertakers was made a
parish

maintenance of hospitality, in the proportions established in each diocese. They, like other ecclesiastics in early times, were under no injunctions of celibacy; their office and dignity, with the emolument annexed to them, descended therefore frequently to their children, and the lands entrusted to them were held by their particular sept, in succession.

parish, with a parochial church to each. The incumbents, besides their tythes and duties, had glebe-lands assigned to them of sixty, ninety, or one hundred and twenty acres, according to the extent of their parishes. To provide for a succession of worthy pastors, free-schools were endowed in the principal towns, and considerable grants of lands conferred on the university of Dublin, together with the advowson of six parochial churches, three of the largest, and three of the middle proportion, in each county,

SUCH was the general scheme of this famous northern plantation, so honorable to the king, and of such consequence to the realm of Ireland. Its happy effects were immediately perceived, although the execution by no means corresponded with the original idea. Buildings were slowly erected; British tenants were found difficult to be procured in sufficient numbers; the old natives were at hand, offered higher rents, and were received into those districts from which it was intended to exclude them. In this particular, the Londoners were accused of being notoriously delinquent. They acted entirely by agents; their agents were interested and indolent, and therefore readily countenanced this dangerous intrusion of natives. Later times found reason to lament the fatal consequences of this error. For the present, however, a number of loyal and industrious inhabitants were poured into the northern counties, considerable improvements made by the planters, and many towns erected. To encourage their industry, and to advance his own project, the king was pleased to incorporate several of these towns, so as to give them a right of representation in the Irish parliament; a right which they had soon occasion to exert.

Pynnar's
Survey.

Philip's
Letter.

C H A P. VII.

Administration of Chichester acceptable to James Causes of discontent in Ireland . . . from DISCOVERERS, . . . from penal statutes Temper of the recusants and puritans . . . Design of holding an Irish parliament alarming to the recusants Petition of the lords of the Pale Management of elections The recusant party elevated and turbulent, Contests on the opening the parliament Tumultuous proceedings in electing a speaker Obstinacy of the recusants Moderation of Chichester disagreeable to the puritans Agents of the recusant party, and their petition to the king His reception of the agents Instance of their confidence Chichester summoned into England Final answer of the king to the petition of the recusants, Session of the Irish parliament Mutual good temper of the recusants and the administration Laws, subsidies favorably received Convocation at Dublin Articles of religion compiled by Usher A conspiracy immediately detected and suppressed Scheme for the plantation of several counties in Leinster Administration of Sir Oliver Saint-John unpopular Commissioners sent from London to enquire into the state of Ireland Saint-John recalled and rewarded Lord Faulkland chief governor Usher offends the recusants,

JAMES was so well pleased with the progress of his schemes of reformation, and the conduct of his Irish deputy, that, with his usual liberality to favorites, he vested Sir Arthur Chichester with the territory of Innishowen, and all the lands lately possessed by O'Dogherty; a tract of country far exceeding the allotments generally made to northern undertakers. The administration of this governor was indeed active, vigilant, cautious, and firm,

firm, suited to a country scarcely emerging to tranquillity and order; where disaffection was yet unextinguished; and discontents were publicly and boldly avowed. In the confusion of all former times, lands had necessarily been concealed and detained from the crown. Adventurers were encouraged by the numerous donations of estates, and the ease with which affluent fortunes were obtained in Ireland; they ransacked old records, they detected such concealments; were countenanced by the state; they dispossessed the old inhabitants, or obliged them to compound for their intrusion; they were vested with portions of their lands, or otherwise rewarded. This was a source of many grievous abuses (as was afterwards experienced) but as yet, the penal laws enacted against recusants were the capital subject of complaint.

THE weekly fine imposed by law on those who refused to attend the established worship, was neither generally nor severely exacted. The law was at this time executed only in the county of Dublin; and Chichester expressly asserts, that the annual amount of fines here imposed on recusants, did not exceed the sum of fourteen or fifteen pounds. The poor promised compliance, and their arrears were readily forgiven; the rich, when presented as recusants, enjoyed too much of favor from their countrymen, for any jury to find a verdict against them: and when jurors, who found verdicts in direct opposition to the clearest evidence, were cited to the star-chamber (or castle-chamber, as it is sometimes called) the severity only served to encrease the clamor. But it was not the penalties to which recusants were exposed, which was considered as the greatest grievance: persons of rank, fortune, and endowments, were more provoked at the legal disabilities contracted by recusancy. Taking the oath of supremacy was a qualification necessary for the enjoyment of any office, service, or promotion. No one could be preferred to any degree of learning

Carte,
Orm.

Chichester's State
Letters,
MS. Trin.
Col. Dub.

Carte.
in

in an university, none could sue *livery* of his lands or *ouster le main* out of the hands of the king, or do him homage in order to have possession of his estate, without previously taking this oath. No peer or subject of consequence, who refused it, could be admitted to the degree of a privy counsellor, or take any part in the administration of government; none could legally act as magistrates or justices of the peace: nor could recusant lawyers, a powerful body of men, be regularly admitted to plead at the bar, much less advanced to the station of judges. And although the laws were greatly relaxed in the execution, though numbers of magistrates, justices of the peace, and lawyers, were never once required to take the oaths, except on some extraordinary occasions of insolence and outrageous defiance of government; yet the spirit of the old English race, and the pride of the Irish natives, could not endure to owe those advantages to a precarious connivance, which they were taught to claim by right. The lords and principal inhabitants of the Pale, had long since complained of that total neglect and contempt, with which government had treated them; and were now particularly provoked at those additional disqualifications which barred every possibility of access to offices of trust or honor.

MEN, whose religious principles expose them to grievous disadvantages in society, are particularly bound to examine those principles with care and accuracy, lest they sacrifice the interests of themselves and their posterity to an illusion. But that indolence and acquiescence to which the errors of popery reduce the mind, added to the shame of deserting their communion, seem to have kept back these men from any advances towards conformity. United in opinions and interests, they formed a numerous and dangerous party, the more dangerous, as they were not ready to break out into headstrong rebellion, without any rational scheme or concert:

but

but practised secretly against administration, with professions of the most zealous and determined loyalty. The friends of government were by no means insensible to the danger. Many of them had but lately passed into Ireland, with dreadful apprehensions of the natives; many had imbibed a full portion of what was then called the puritanic spirit, and were distinguished by their zeal against popery and its professors. It is scarcely possible, but that a difference in religious opinions should lead directly to personal rancor and aversion, unless men's minds are fully possessed with the genuine spirit of Christianity, or unless they have arrived at that indifference to religion (considered in any other light but as a political engine) which modern times have dignified with the name of philosophy. In the ordinary course of things we are not to expect, that the first of these principles should have its perfect influence; and the latter was as yet unknown. Sects and systems of religion were matters of importance. The reformed looked with abhorrence on the partizans of idolatry and the imps of Anti-Christ; the Romanists with equal rancor inveighed against heresy and apostacy, the blind ministers of Satan and children of perdition.

THE lord deputy justly dreaded the consequence of such dissension, and urged the necessity of enforcing the authority of government, in a country where it was frequently neglected, and sometimes insulted. To support the arrangements lately made, to remove real grievances, to repress causeless discontents, and to secure the administration against all attempts of turbulence and disaffection, it was deemed necessary to convene a parliament in Ireland. Twenty-seven years of tumult and distraction had elapsed, since any parliament had been held in this kingdom; and the material alterations which had since been made in the state of this country, promised to give extraordinary consequence to the legislative assembly. Seventeen additional counties and a number of new-created boroughs, which the

Lamb.
T. T. fol.
23—47.

lord deputy was daily increasing, by virtue of a royal commission, indicated a scheme of general representation, in which the inhabitants of every order, whether of the old English extraction, or the new British settlers, or the original Irish natives, should meet together to make laws for the good of themselves and their posterity. Publication was made of the king's intentions to form such an assembly, and the subjects were invited to exhibit their grievances, and to consider of provisions for the public welfare.

But the novelty of this design, and the nature of the assembly to be convened, served to awaken all the fears of the numerous party of recusants. The summoning a parliament after so long an interval, must be, as they conceived, for some purposes of moment; and what these purposes might be they knew not, as they were not admitted to any communication with the lord deputy. A number of new boroughs, most of them inconsiderable, and many too poor to afford wages to their representatives, must entirely be influenced by government, and must return its creatures and immediate dependents. Such an accession of power could not fail to encourage the administration to act without reserve, and to pursue the dictates of its passions and resentments. Some additional severities against those who refused to abandon the Romish communion, some additional penal statutes, or at least the revival of those already made, were naturally dreaded. But the party was too spirited and too conscious of their power to await the event, in helpless submission and despondency. On the first declaration of the royal intentions to call a parliament in Ireland, six lords of distinguished consequence in the Pale, Gormanston, Slane, Kileen, Trimbleston, Dunsany, and Lowth, addressed a letter to the king, in which they boldly express their apprehensions from a design of convening a parliament, without any communication of the laws therein to be enacted,

A. D.
1612.

acted, vouchsafed to them or others of the nobility, from the creation of new boroughs, and the rigorous execution of penal statutes; plainly intimating, that these courses, in the general opinion of the Irish subjects hard and exorbitant, tended to encourage the disaffected with expectation of public disorders; and gave occasion to rebels to asperse the king's government in foreign courts; the consequences of which they submit to his princely consideration; praying, that the creation of boroughs be suspended, till time and traffic shall make places fit to be incorporated; and assuring his majesty, that if he shall be pleased to repeal the penal laws, he shall settle their minds in a firm and faithful subjection.

* The terms of this petition were too bold and disrespectful not to offend a prince habituated to the most

* The reader, of Ireland at least, may not be displeased to see their letter at large. It is here inserted from a copy of the Lambeth manuscript.

Most renowned and dread sovereigns,

The respective care of your highness's honour, with the obligation that our bounden duty requireth from us, doth not permitt, that we, your nobility of this part of your majesty's realme of Ireland, commonly termed the ENGLISH PALE, should suppress and be silent in ought, which in the least measure might ymport the honour of your majesty's most royal person, the reputation of your happy government, or the good and quiet of your estates and countryes; and therefore, are humbly bold to addresse these our submissive lynes to your highness, and so much the rather, till that of late years it hath been a duty specially required the nobility of this kingdom to advertise their princes your majesty's most noble progenitors, of all matters tending to their service, and to the utility of the commonwealth.

Your majesty's pleasure for calling a parliament in this kingdom hath been lately divulged, but the matters therein to be propounded not made known unto us, and others of the nobility; we being, notwithstanding, of the grand councill of the realme, and may well be conceived to be the councill meant in the statute made in king Henry the seventh's time, who should joyn with the governour of this kingdom, in certifying thither, what acts should passe here in parliament; especially, it being hard to exclude those that in respect of their estates and residence, next your

most abject flattery: and though qualified by that complimentary strain so grateful to his ear, James pronounced

your majesty, should most likely understand what were fittest to be enacted and ordayned for the good of their prince and country.

Yet are we for our own parts well persuaded they be such as will comport with the good and reliefe of your majesty's subjects, and give hopeful expectation of restauration of this lately torn and rended estate, if your majesty have bene rightly enformed, they having (as it is said) passed the censure of your highnes's most rare and matchlesse judgment. But th' externe and public course held (whereof men of all sorts and qualities do take notice for the management thereof) hath generally bred so grievous an apprehension, as is not in our power to expresse, arising from a fearful suspicion that the project of erecting so many corporations in places that can scantly passe the rank of the poorest villages, in the poorest country of Christendome, do tend to nought else at this time, but that by the voices of a few selected for the purpose, under the name of burgesses, extreme penal laws should be ymposed upon your subjects here, contrary to the natures, customs, and dispositions of them all in effect, and so the general scope and institution of parliaments frustrated, they being ordayned for the assurance of the subjects not to be praceded with any new edicts or laws, but such as should pass with their general consent and approbation.

Your majesty's subjects here in generall do likewise very much distaste and exclaime against the deposing of so many magistrates, in the cities and boroughs of this kingdome, for not swearing th' oath of supremacy in spiritual and ecclesiastical causes, they protesting a firm profession of loyalty, and an acknowledgment of all kingly jurisdiction and authority in your highnesse; which course, for that it was so sparingly and myldly carried on in the time of your late sister of famous memory, queen Elizabeth, and but now in your highnesse's happy reign first extended unto the remote parts of this country; doth so much the more affright, and disquiet the minds of your well-affected subjects here, especially, they conceiving that by this means, those that are most sufficient and fitt to exercise and execute those offices and places, are secluded and removed, and they driven to make choice of others conformable in that point, but otherwise very unfit and uncapable to undertake the charges, being generally of the meaner sort. Now, whether it conduced to the good of your estate, hereby to suffer the secret, home, evil affected subjects (of whom we wish there were none) to be transported

pronounced it to be rash and insolent. The deputy continued to encrease the new boroughs to the number of forty, of which several were not incorporated until the writs for summoning parliament had already issued. It was necessary to take every measure for strengthening the interest of Irish government, as the recusants were indefatigable in forming their party. Agents were dispatched from the Pale into every province to support the elections of their friends, and to entreat the assistance of every man

sported with hope and expectation of the effects which a general discontentment might in time produce, and to give scope to the rebels discontented of this nation abroad, to calumpniate and cast an aspersion upon the honor and integrity of your highness's government, by displaying in all countries, kingdoms, and estates, and inculcating into the ears of foreign kings and princes, the foulness (as they will term it) of such practizes, we humbly leave to your majesty's most sacred, high, and princely consideration. And so, upon the knees of our loyal hearts, do humbly pray that your highness will be graciously pleased not to give way to courses, in the general opinion of your subjects here, so hard and exorbitant, as to erect towns and corporations of places consisting of some few poor and beggarly cottages, but that your highness will give direction that there be no more erected, till time, or traffick and commerce, do make places in the remote and unsettled countries here fit to be incorporated, and that your majesty will benignly content yourself with the service of understanding men to come as knights of shires out of the chief countries to the parliament. And to th' end to remove from your subjects hearts those fears and discontents, that your highness further will be graciously pleased to give order that the proceedings of this parliament may be with the same moderation and indifference as your most royal predecessors have used in like cases heretofore; wherein, moreover, if your highness shall be pleased, out of your gracious clemency, to withdraw such laws as may tend to the forcing of your subjects consciences here in matters concerning religion, you shall settle their minds in a most firm and faithful subjection.

The honour which your majesty, in all your actions and proceedings, hath hitherto so well maintained, the renown of your highness's transcendent understanding in matters of estate and government, and in particular the exemplary president of your majesty's never-to-be forgotten moderation, in not descending to such extraordinary courses for effecting the union of both kingdoms so much desired, doth give us full hope and assurance, that your highness will duly weigh and take in good worth these considerations by us layed downe, and most graciously grant this

our

man of quality or interest, in this time of danger. The clergy preached the cause of religion, and denounced their excommunications on those who should presume to vote against the friends of the holy Roman church. To the vulgar Irish they sometimes proceeded yet farther; they assured them that Tirone was preparing to invade the kingdom, encouraging them to stand firm to the faith, which should soon prove triumphant over all its enemies. The recusant lawyers practised with those of better condition. Promises, threats, and alarms, oaths of association, and all the devices of policy and faction were employed to gain those who could be of service in the elections; and with such success, that most of the privy counsellors, who stood for knights of the shire, were rejected, for the most factious and turbulent lawyers their competitors.

Carr.

A. D.
1612.MS.
Lamb.
C. 61. 20.

THE recusants exulted in this success, and were now confident of their superiority in the commons. The principals of their party made their entry into Dublin, with splendor and magnificence. Bands of one hundred and two hundred armed followers attended them, as if they meditated violence, or meant to terrify their opposers; while at the same time they affected fears and alarms. They objected to the castle of Dublin as the place of session, where they were in danger of perishing by an explosion of the stores of powder; and where the lord deputy's guards were to surround the house of parliament, and by force of arms to control their freedom of debate. Their turbulence was greater,

as

our humble submissive suit, in which hope we do, and will always remain

Your majesty's

most humble and dutiful subjects¹DUBLIN, 25 Nov.
1612.

GORMANSTON.
CHR. SLANE.
KILEEN.
ROB. TRIMBLETTSTOWN.
PAT. DUNSANY.
MA. LOWTH.

as they had now the mortification of finding themselves mistaken in their numbers. Two hundred and thirty-two members had been returned: six were absent; of the remainder, one hundred and twenty-five were protestants, and one hundred and one formed the recusant party. The upper house consisted of sixteen temporal barons, twenty-five protestant prelates, five viscounts, and four earls; of which number a considerable majority were friends to the administration. The returned members, and no others, were admitted into their house, and directed to enter without arms. After the usual speech from the throne, they were commanded to elect their speaker. The competitors for this office were Sir John Davis, the Irish attorney-general, who was recommended by the king, and Sir John Everard, a recusant of respectable character, who had been a justice of the king's bench, and on resigning this station, rather than take the oaths, was indulged with a pension. But the party which now supported him, contended warmly that, before the election of a speaker could be made, the right of electing should be first determined; that new boroughs had been illegally incorporated, and had returned as members, men incapable by law, not resident in these boroughs, and utter strangers to the places which elected them; that it was therefore necessary first to reject all those who had been unduly chosen and returned; then to proceed to the election of a speaker by the real and constitutional members of the commons, and these only. On the other hand, it was urged, that by the constant usage of parliamentary proceedings, a speaker was to be chosen in the first place; that committees were then to be appointed, and elections examined and decided.

THE altercation was violent and disorderly; when MS. Sir Oliver Saint-John, master of the ordnance, ob-
served, that controversies were to be decided by C. fol. 90.
questions, and questions by votes; that the affirmative party usually went out of the house, while the
negative

negative kept their seats; he therefore called on those who voted for Sir John Davis, to attend him to the lobby, and was followed by the majority. The recusant party had refused to be numbered, and in the absence of their opponents were readily persuaded, that as they formed the majority of legal members, they had a full right to proceed to the election, while the others were withdrawn. With an unanimous clamor for Everard, they seated him tumultuously in the speaker's seat. The friends of government, on their return, exclaimed against this outrage, declared Davis duly elected, attempted to force his competitor from the chair; were violently opposed, and seated their speaker in the lap of Everard. The scene of tumult and confusion was closed by a secession of the recusants, who obstinately refused to accept Sir John Davis as their speaker, to acknowledge the authority by which he was elected, or to take any share in the proceedings of an assembly so illegal, so violent, and arbitrary. They were commanded to attend their duty; they pleaded fear of their lives; they required the lord deputy to shew them by what authority those sat as the commons, who were now assembled; they demanded to see the grants and charters of the new corporations, and that the returns of elections should be laid before them: and still obstinately refusing to attend the service of their house, suffered their opponents to present Sir John Davis to the deputy for his approbation. The recusant lords followed the example of their brethren of the lower house; clamored against the new corporations, affected to doubt of the lord deputy's commission to hold the parliament, and peremptorily refused to attend, until the controversies subsisting among the commons should be first decided, desiring licence to send agents into England, who might lay their grievances before the king.

THE violence of this opposition, the exaltation and seditious menaces of the recusant party, their open

open declarations of resisting any attempts which might be made against their friends, by force of arms, their agitation and cabals, their numerous attendants, and the popular clamor in favor of their cause; were all justly alarming to the state, when the whole military force of the kingdom had been reduced to the inconsiderable number of seventeen hundred foot and two hundred horse; and the disorders of the capital seemed ripening to an insurrection. Chichester deemed it necessary to act with temper and moderation; he commanded by his proclamation, he summoned the seceding lords, separately, to attend their duty, he even condescended to remonstrate with the party, to entreat them to unite with the other members of each house, at least in passing an act of recognition of the king's title, assuring them that no other bill should for the present be propounded; he offered that all differences should be submitted to an equal committee; and when he found them still obstinate, without attempting to imprison any one of those whose seditious conduct had been particularly provoking, he prorogued the parliament, to give time for the violence of passion, on each side, to be allayed.

THIS conduct, dictated by the plainest rules of discretion, and indeed the only conduct which could with safety be pursued, was yet highly displeasing to the puritans. They recollected the indulgence shewn to several rebels in the distribution of the Ulster lands, and the lenity with which recusants had been treated since the final reduction of the kingdom; and from the perseverance of Chichester in the same course of moderation, affected to condemn him as not knowing how to govern an unruly people, or not daring to exercise his authority with the necessary vigor. Complaints and discontents were whispered even in the privy council. It was alleged, that on the accession of king James, the enemies of the crown (for in this general term they included all those who from any motives opposed

posed the measures of Irish administration) were so totally broken, that, by a vigorous execution of the laws, the people might have been wrought to any conformity. But by shewing imprudent and numerited favor to old rebels, by conniving at their meetings and conspiracies, by relaxing the authority of law, and by other temporising courses, both encouragement and opportunity had been given to the old Irish to correspond with foreign traitors, to harbour priests and Jesuits who rendered them obstinate in their religion, and desperate to attempt any wickedness, and to resume their ancient tyrannical authority over their inferiors. To this they imputed the present strength and confidence of the popish party, their enormous extravagances, and the danger to be apprehended from their sedition.

CHICHESTER was the less alarmed at these discontents, as he knew the temper of the king, and his passion for moderate and pacific measures. But while he continued his usual course of lenity, the party in opposition were indefatigable in support of their cause. Immediately on their secession, the recusant lords and commoners of the Pale dispatched letters * to the king and the English council, urging

* The letter of the lords to the king concluded with what he called, and not without reason, a menace of rebellion, expressed even less covertly than in their former letter.

" We cannot, but out of the consideration of our bounden duty, make known unto your highnesse the general discontentment which these strange unlooked for and never heard of courses generally have bred, wherof, if the rebellious discontented of this nation abroad do take advantage, and procure th' evil affected at home, (which are numbers, by reason of these already settled and intended plantations) in any hostile fashion to set disorders a-foote, and labour some underhand relief from any prince or state abroad, who peradventure might be inveigled and drawn to commiserate their pretended oppressions and distresses, howsoever we are assured the prowess and power of your majesty will, in th' end, bring the authors thereof to ruin and confusion, yet will things be drawn into great combustion, to the effusion of much blood, exhausting of masses of treasure, the exposing of us and others, your highnesse's well affected subjects, to the hazard of poverty,

ing the grievance of the new boroughs, incorporated with such shameful partiality, and represented by attorneys', clerks, and servants of the lord deputy, and the violence done to Everard, chosen speaker by a majority of undoubted representatives; imploring to be heard by their agents, and renouncing the royal favor, should they fail in any point of proof. Men who had long been stung by the partiality of the state to inferior persons lately arrived in Ireland, who complained that they had been excluded from public employments, that they were *vilipended*, as they expressed it, *set at nought, and disgraced by those newly raised to place and honor*, engaged in a popular cause, encouraged by their adherents, and powerfully influenced by their clergy, were naturally determined, active, and indefatigable. They instantly appointed agents to repair to the English court, and seek redress of their supposed grievances from the throne. The lords Gormanston and Fermoy, sir James Gough, Hussey, Lutterel, Talbot, all zealous leaders of their party, were chosen for this purpose, and a liberal contribution raised to defray the expence of their solicitation. Chichester, in vain, endeavoured to prevent this contribution: it was levied on all orders, and freely granted. The agents departed in a kind of triumph; and the deputy was obliged, on his part, to send over the earl of Thomond, sir John Denham, chief justice of the king's bench, and sir Oliver Saint John, to counteract their practices.

It seemed no very auspicious incident to the Irish agents, that Talbot and Lutterel, for some late or present insolence of conduct, were committed prisoners, one to the Tower, the other to the Fleet:

yet

"poverty, whereof the memory is yet very lively and fresh among us,
"and finally to the laying open the whole common wealth to the inundation of all miseries and calamities which garboiles, civil wars, and
"disruptions do breed and draw with them in a rent and torn estate."

MS.
Lamb.
C. p. 20,
&c.

Carte,
Orm.

yet James received their complaints with temper and attention; and possibly with the greater favor, as they made the most solemn protestations, that neither the pope nor any potentate whatsoever had authority to deprive him of his crown and kingdoms, or to commit so horrible and detestable an act as to bereave him of his life, which they should be ever ready to defend with the zeal of true subjects. The indulgence and professions of equity with which they were received in many audiences, inspired them with the utmost confidence of success. They no longer confined themselves to the late transactions of parliament. They presented the king with nineteen articles of grievance, in the martial and civil administration of Ireland, which they humbly besought his royal grace and equity to redress, and that he would send indifferent commissioners to enquire into the several particulars. To this request he condescended, and so elevated the recusants, that they were not so much doubtful of succeeding as impatient for the king's final answer and decision. A party of the agents at the English court attended the commissioners into Ireland; and were followed by Sir James Gough, who landed at Waterford, and spread the joyful news, that the king commanded him to assure the Irish subjects that they should be free in the exercise of religion, provided they entertained no priests who should preach the deposing power of the pope. The report was instantly conveyed to the capital, that Gough had arrived with a message from the king to the lord deputy, and Chichester calmly summoned the principal recusants to be witnesses of it. To his utter astonishment, Gough who probably took advantage of some expressions of indulgence used by the king, boldly declared that he was commissioned to make those assurances he had already notified to his countrymen, and to inform the lord deputy of his majesty's pleasure. The king had denounced a curse on himself and his posterity, if ever he should grant a toleration to
the

the Romanists; he had on particular occasions instructed the Irish administration to administer the oaths, and execute the penal laws; Chichester was therefore warranted to express his disbelief of Gough's assertions. He publicly reproved him for his falsehood: and to give some check to the extravagant exultation of the recusant party, and to intimidate them by an appearance of vigor, at a time when the state was alarmed with rumors of conspiracies and insurrections, he yielded to the advice of the council, and committed Sir James Gough close prisoner to the castle of Dublin.

His party expressed the less resentment at this severity, as they expected speedy redress. The deputy was summoned to attend the king in England, which they conceived to be the prelude to his disgrace: and Jones, the chancellor, and marshal Wingfield, the new lords justices, conducted the ordinary administration with the greater ease, as the principal scene of Irish affairs now lay at the court of England, and the discontented waited for the final triumph of their agents. James, who had by this time consulted with Chichester, and received all information of the transactions in Ireland he could procure, at last admitted the recusants to plead their cause before the council. Their cause was repeatedly deliberately, and patiently discussed. Of ^{Cox, ex} fourteen returns to parliament, of which they com- ^{MS.}plained two were found to have been illegal, those ^{Lamb.} of the burgesses of Kildare and Cavan: the members returned from those boroughs which were created after the writs had been already issued, were for the present declared incapable of sitting; but in other particulars, the king finally pronounced their allegations groundless. In a long speech, framed in the usual manner of this prince, he magnified his own equity and impartiality, he declared against the pride and arrogance of the first application to the throne, and that notwithstanding the confidence of these *parliament-recusants*, as he called them in derision,

riation, scarcely one article of their complaint had been established: that nothing had been proved faulty in the government, "unless," said James, with a profane levity, "you would have the kingdom of Ireland like the kingdom of heaven." The whole progress of their opposition in Ireland he censured with severity, reproved their presumption in questioning either his power to incorporate new boroughs, or his wisdom in the choice of them. He indeed acknowledged, that he had been informed, not by the agents, but others, of some irregularities committed by his inferior officers, in their country, which should be redressed, as he had a tender care for the welfare of the Irish subjects, both as king of England, whose crown had so long possession of their land, and as king of Scotland; "for the ancient kings of Scotland," said he, "are descended from the kings of Ireland; so, as I have an old title, as king of Scotland, therefore you shall not doubt to be relieved." He enlarged on the care and caution he had used, that no acts grievous to the people should be proposed in the Irish parliament, and gravely protested, "that he had been more careful for the bills to be passed in that parliament, than in the parliament of England." He commended the conduct of the lord-deputy, and concluded with a severe address to the Irish agents: "In the matter of parliament, you have carried yourselves tumultuously and undutifully; and your proceedings have been rude, disorderly, and inexcusable, and worthy of severe punishment; which by reason of your submission I do forbear, but not remit, till I see your dutiful carriage in this parliament; where by your obedience to the deputy and state, and your future good behavior, you may redeem your by-past miscarriage; and then you may deserve not only pardon, but favor and cherishing."

Such

SUCH was the issue of this long-protracted con-A. D. test. The complaints of the recusants were in ge-¹⁶¹⁴neral rejected, though not without expressions of lenity and indulgence; and the validity of their plaint being determined by that authority to which they had appealed, nothing remained for them but to assemble peaceably in the parliament now to be convened, after repeated prorogations. They assembled, not without discontent, and not without practising some devices to obstruct the national business. In the upper house, a warm contest was raised on the claims of precedence of two peers, Slane and Kerry, which required examinations, evidences, and tedious discussions. In the commons, ^{Jour. of} it was moved to proceed immediately to an exami-^{Commons} nation of the disputed returns, *as the information of*¹⁶¹⁴ *the king was not full*; and that his majesty's letter¹⁶¹⁵ to the lord-deputy on this subject, should be communicated to the house. The numbers of each party were not far from an equality; the recusants were at least so considerable a body, that their zealous were highly elevated, and seemed prepared for violent opposition; but happily, the management of Chichester was cautious and conciliating, and of their own party were men of temper and moderation. Sir John Everard, to whom they paid particular deference, earnestly recommended to his friends to concur amicably with government, in such measures as the interest of the nation and the honor of the crown required, and whatever indulgences they sought, to merit them by a dutiful and peaceable conduct. Elections, the great subject of contest, were referred to a particular committee, formed of both parties; which after some enquiry resolved, and in this resolution obtained the concurrence of the house, that the examination of all disputed elections should be suspended for the present session, for the better expedition and furtherance of the public service; a resolution repeated in the succeeding succession.

THIS

Jour. of
Commons
Irel. 1614,
1615.

THIS first appearance of an amicable disposition in the commons, was answered by moderation on the part of government and its friends. Whatever laws had been projected, none were proposed against the professors or teachers of popery. Some lawyers, who refused the oath of supremacy, had been prohibited from pleading at the bar. The commons petitioned the deputy that they should be restored to their practice; and received a favorable though not an explicit answer. The matter was resumed in their house; and when one of the members observed, that these lawyers were corrupt in their judgments, and ought not to be suffered to corrupt others, he was called to the bar; and as his explanation was unsatisfactory, and he refused to make further submission, he was committed to close custody for his offence. The recusants were too powerful, and now expressed too much candour and affection to the state, to be unnecessarily provoked; and therefore when Sir Oliver Saint-John had moved a bill for keeping the fifth day of November, as a religious anniversary, though the motion could not be instantly rejected, yet the bill was silently laid aside.

Irish Stat.
11, 12, 13,
14 Jac. I.

In this mutual amity of the different parties, the laws of these sessions were conducted without any considerable difficulty. The houses joined in passing an act for recognizing the king's title to the crown, wherein they gave ample testimony of the excellence of his government, and tender concern for his people of Ireland; by reducing them to order, by settling them in peace, by confirming them in their possessions, by various acts of favor, and particularly by the civil plantation of the escheated lands of Ulster. An act for the attainder of the earls of Tirone and Tirconnel, Sir Cahir O'Dougherty, and some others, concerned in rebellion or conspiracy, was presented to the commons by Sir John Everard, and passed unanimously. The old statutes made against the natives of Irish blood, while they were considered as enemies, whereby the English were forbidden

forbidden all commerce, marrying, or fostering with them, and directed to treat them as spies, whenever they presumed to enter the English territories; those against calling over and marrying with the Scots, were all repealed, as all the inhabitants of the kingdom were now taken under the king's protection, and to be considered as dutiful subjects of the same monarch; and as odious distinctions of every kind were taken away by the happy union of England, Scotland, and Ireland, under one imperial crown. An act of general pardon and oblivion was made in confirmation of the royal edict; and the whole proceedings of this parliament were closed by a bill of subsidy, granting to the king, his heirs and successors, from every personal estate of the value of three pounds and upwards, two shillings and eight pence in the pound; from aliens, twice this sum; and out of every real estate of the value of twenty shillings and upwards, four shillings in the pound: a grant so bountiful, and made with such alacrity and zeal, that James returned thanks in a letter addressed to the lord deputy. "We now clearly perceive," said he, "that the difficult beginnings of our parliament there, were occasioned only by ignorance and mistakings, arising through the long disuse of parliaments there; and therefore we have cancelled the memory of them, and we are now so well pleased with this dutiful confirmation of theirs, that we do require you to assure them from us, that we hold our subjects of that kingdom in equal favor with those of our other kingdoms; and that we will be as careful to provide for their prosperous and flourishing estate, as we can be for the safety of our own person."

THE recusants took especial care to assume their share of merit in a bill so acceptable to the king. They expressed the utmost indignation, that it should be reported, that any opposition had been made or intended against it. They earnestly en-

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Jour.
Com.
Irel. ut
sup.

treated even a temporary relaxation of the penal statutes of queen Elizabeth, declaring, that in this case, if the king should ask two, three, or four subsidies, they doubted not of a chearful and zealous compliance. But their solicitations in parliament, and the practices of their agents in England, produced no other effect than a general, cautious, and moderate execution of these statutes. The Irish administration deemed it necessary to preserve them as an occasional check to the turbulence of a restless party; and the puritans shuddered at the thoughts of granting the least indulgence or countenance to popish idolatry. James exulted in the address by which he had steered his course so happily through all the agitation of Irish factions. Much had been already done to abolish all odious distinctions, and to unite the several inhabitants of Ireland in one body and one interest. Yet the natives, whether of the Irish or English race, were still, by some old statutes, incapable of filling certain offices in the state; and they were impatient to be freed from a disability; more odious than grievous. Several laws also were recommended to the lord deputy, as necessary to be prepared for the regulation and welfare of the kingdom. But the disorders with which this parliament had commenced gave an alarming specimen of the temper of the commons. The bill of subsidy was passed; and the apprehensions expressed by some members were confirmed. The parliament was unexpectedly dissolved.

Cox.
A. D.
1615.

WHILE this assembly was employed in regulating the civil affairs of Ireland, a convocation of the clergy was directed to be held in Dublin; for the purpose, principally, of framing a public confession of faith for the established church of Ireland. Doctor James Usher had by this time been eminently distinguished for learning and abilities; and to him this important work was entrusted. His attention had been considerably engaged by the writings of the then modern foreign divines, from whence he had deeply

deeply imbibed the Calvinistical doctrines. The confession which he drew up, consisted of no fewer than one hundred and four articles, in which were included, almost literally, the nine articles agreed on at Lambeth, in the year 1595, and which were disapproved both by Elizabeth and James. So large a formulary could not but contain several minute decisions, and even dangerous expositions of what is generally revealed in the Scriptures. His zeal against popery appeared by his concurrence with the French reformers, in pronouncing the pope to be Anti-Christ. And without any condescension to the sentiments of king James, he declared in one article, that the Lord's day was to be WHOLLY dedicated to the service of God. The convocation adopted his profession, and it was ratified by the lord deputy. Some attempts were made to prejudice the king against the compiler of those articles, which in so many instances were repugnant to his principles; but Usher had the address to guard against the insinuations of his enemies; and James who so just to his piety and erudition, that he soon after promoted him to the see of Meath.

THE protection and security granted to the old natives by those acts which admitted them into the body of subjects, and gave them the advantages of English law, promised the most salutary effects; but time and attention were still necessary, for a work of such consequence and difficulty, as the perfect civilization of this people. Rudeness and ignorance rendered them the more tenacious of their antient manners; nor had their lords and leaders always reflection to perceive the really greater value of limited possessions, held by permanent tenures, than the wild magnificence of their former domains, in which the property determined with their lives. The Northerns were so mortified by the diminution of their own state, and the prosperity of their new neighbours, who as they claimed no descent from Irish princes, were despised as mean and ignoble, that

that several of them formed a crude scheme of rebellion, to seize the English forts of their province, and extirpate the British planters. The conspiracy was betrayed, and the chief agent seized, condemned and executed.

THE alarm was too inconsiderable, and too speedily allayed, to give any interruption to the king's projects, for the extension of civility and industry in Ireland, and the more effectual establishment of the English interest. Elevated with the success of the great northern plantation, and the flattering terms in which it had been approved by the Irish parliament, he resolved to execute the same schemes in others of the unsettled districts of the island. The maritime parts of Leinster, between Dublin and Waterford, had been for ages possessed by powerful Irish septs, who had kept the English government in continual alarm, and harassed its forces by perpetual irruptions. Sixty-six thousand acres, between the river of Arcklow, and that of Slane, had been found by inquisition to be the property of the crown. Of these sixteen thousand five hundred, lying nearest to the sea, James determined to dispose of to an English colony, and to re-grant the rest in certain proportions to the old proprietors, under the same regulations and covenants which had been prescribed to the planters of Ulster.

Carte,
Oms.

Ibid.

THE counties of Leitrim, Longford, Westmeath, and those of the king and queen, by their situation and circumstances, required particular regulation. Naturally strong, and difficult of access, they afforded in the very heart of the island, a safe retreat and shelter to the old inhabitants, who were tenacious of their barbarous customs, nestling in their filthy cottages in winter; in summer, wandering with their cattle over the desert mountains. Through these districts the Irish insurgents had usually passed from Connaught or Ulster to annoy the Pale. They had served for a passage to Tirone and his forces into Munster, and a retreat in his glorious

glorious flight from Kinsale. In time of peace they were the safe receptacles of robbers, where they defied the ministers of justice, and, surrounded with woods, bogs, and mountains, lived in a sort of independence, and contemptuous resistance to the law. To reduce these savages to order and subjection, inquisitions were held to examine the king's title to the whole or any part of their lands. It was found that some parts had been anciently possessed by English settlers, who, in the disorders of the kingdom, had been expelled by the old natives, and which were therefore vested in the crown as lands of absentees; others appeared to have been forfeited by rebellion. So that James deemed himself entitled to make a distribution of three hundred and eighty-five thousand acres in these counties, to such proprietors and in such proportions as might promote the general welfare and security, the extension of commerce and civility of the natives. The large portions re-granted to the old inhabitants, on **A. D.** permanent tenures, reconciled many to this new **1616.** scheme of plantation, which was not completely executed when Chichester was created baron of Belfast, recalled to England, and succeeded by Sir Oliver Saint-John.

THE administration of this new governor was **Cor,** disturbed by various clamors and discontents. By **ex MS.** his conduct in the late parliament he appeared to **Lamb.** be actuated with peculiar zeal against popery: and whether provoked by the insolence of the recusant party, or that his nature and principles disposed him to treat them with less levity than they had for some time experienced, he soon proceeded to a vigorous execution of the penal statutes. The popish regulars, a dangerous order of men, who were generally educated in foreign seminaries, and stole into Ireland with the most unfriendly dispositions to government, were banished by proclamation; an act of apparent rigor, but really indulgent to the poorer Romanists, who were intolerably oppressed by

A. D.
1617.

by an idle, factious, and useless tribe. But what occasioned still greater clamor, magistrates and officers of justice were strictly required to take the oath of supremacy: and as the city of Waterford had obstinately chosen a succession of recusants for their chief magistrates, who all, in turn, refused to take this oath, and in other particulars discovered an aversion to conformity; a commission issued to seize the liberties and revenues of a city, which had formerly and frequently been obnoxious to the state. This rigor provoked the partizans of Rome in foreign countries, to inveigh against the conduct of Saint-John with severity and falsehood, to charge him with enormous oppressions, in exacting fines never imposed; and in crowding the prisons with wretched confessors of the faith, who never suffered the restraint of a moment.

BUT what still more nearly affected this chief governor, was the offence he had given with more zeal than caution, to some leading members of the state. They had usurped some church-lands, and expected to keep possession by their power and influence. But Saint-John saw the miserable condition to which the clergy were reduced, and was spirited enough to withstand these powerful usurpers. He thus provoked them to unite with the popish party in censuring and maligning him. Their complaints were conveyed to the throne: they requested that commissioners should be appointed to inspect the state of Ireland and the irregularities of administration. About this time James had been particularly offended by the conduct of Diggs, Crew, Rich, Perrot, and some other spirited members of the English house of commons: he seized the occasion to mortify and to remove them; he addressed his commission to them, under the great seal, to repair to Ireland, in order to inspect and regulate sundry matters relative to his service in this kingdom. The enemies of Saint-John insisted, that the commission could have no effect while he

Rymer,
T. XVII.
p. 358.

A. D.
1621.

he continued in the government. Lord Faulkland was nominated his successor; and at the repeated instances of the Irish council, the deputy was obliged to resign his authority immediately to two lords justices, who were appointed to the administration, until the new chief governor should arrive. To make some amends for these repeated mortifications of a servant, who appeared to have been not only innocent but meritorious, the king soon after created Saint-John viscount Grandison of Ireland, baron of Trogoose of Highworth in England, lord high treasurer of Ireland, and privy counsellor of both kingdoms.

THE removal of Saint-John was no inconsiderable triumph to the recusants. They affected to consider it as a condemnation of the severity which he had exercised against them, and every where encouraged their party to expect greater indulgence. Their open and undisguised procedure in erecting abbeys, their insolence in seizing churches for their own worship, were grievous and alarming to the reformed clergy. Usher, the most distinguished of this order, and the man whose sentiments were of the greatest weight, was appointed to preach before lord Faulkland on his arrival; and took this opportunity of recommending such restraints as might keep the Romanists within the bounds of a decent reserve, and at least deter them from public insolence and outrage. This unpopular doctrine served to exasperate the recusants. Occasion was taken from the words of his text, *He beareth not the sword in vain*, to exclaim against him as a sanguinary persecutor, who pleaded for the extirpation of all those who could not conform to the established religion; and such was the clamor industriously excited from this trivial incident, that the prelate found it necessary to preach an explanatory discourse, in which he declared the equity and lenity of his intentions. The abilities of this prelate were of considerable service

Cox.
Life of
Usher.
A. D.
1622

service to government in these times of religious contest. He enforced the nature and lawfulness of the oath of supremacy, with a powerful eloquence, when magistrates had been cited to the castle-chamber for recusancy ; but reason and argument could have little weight against the obstinate prepossessions of a party, exulting in their numbers, power, and consequence.

CHAP. VIII.

Review of complaints and discontents during the late Irish administrations . . . Grievances and abuses from plantations, . . . from enquiries into defective titles . . . Infamous practices of discoverers and crown agents . . . Inferior grievances . . . Miserable state of the Irish army . . . No advantage taken of the weakness of government, . . . and why . . . James directs levies to be made in Ireland for the service of Spain . . . The measure dangerous, and alarming in the execution . . . Faulkland urgently applies for an augmentation of the army . . . Difficulties arising from the deficiency of the revenue . . . Projects for supplying the deficiency . . . Scheme against the corporations rejected as dangerous . . . Scheme for a plantation of Connaught, . . . suspended by a treaty with the inhabitants, and by the death of James . . . Turbulence of the Irish recusants on the accession of Charles . . . Irish army augmented, and irregularly maintained . . . Affected loyalty of the recusants . . . A free gift offered to the king, on condition of indulgence to the Romish worship . . . Protestant clergy alarmed . . . Remonstrance of the Irish prelates, . . . and of the English commons . . . Free gift of the Irish accepted . . . The GRACES transmitted to the lord deputy . . . Summary of these GRACES . . . The royal promise of a parliamentary confirmation of them, eluded with apparent insincerity . . . The GRACES, however, highly satisfactory to the Irish subjects.

WHILE we mark the virulence of that party which opposed and censured the administration of government in Ireland, candour and impartiality require, that we should not omit their real causes or plausible occasions of discontent.

THE passion for plantation which James indulged, was actuated by the fairest and most captivating

Carte,
MSS.
Stearns,
Trin. Col.
Dub.

motives. He considered himself as the destined reformer and civilizer of a rude people; and was impatient for the glory of teaching a whole nation the valuable arts of life, of improving their lands, extending their commerce, and refining their manners, of establishing a population in Ireland, composed of loyal and industrious inhabitants, who, by mixing with the old natives, should entice them from their barbarism; and thus of converting the wildness and distraction of the country into one fair scene of order, peace, and prosperity. But, in the pursuit of this favorite object, he had sometimes recourse to claims, which the old natives deemed obsolete and unjust. The seizure of those lands, whose possessors had lately meditated rebellion, and fled from the sentence of the law, produced little clamor or murmuring. But when he recurred to the concessions made to Henry the second, to invalidate the titles derived from a possession of some centuries, the apparent severity had its full effect on those who were not acquainted with the refinements of law, and not prepossessed in favor of the equity of such refinements when employed to divest them of their ancient property.

It is true, that in all distributions of lands forfeited, or adjudged, or resigned to the crown, the king directed a provision for the widows and sons of chieftains, for the lesser as well as greater claimants; and what they wanted in extent of land was compensated by the firmness and advantages of their new titles: yet such concessions could not always conquer the reluctance of the possessors to make a voluntary surrender; when they were assured, that those who refused such compliance must expect justice without favor, the alarming purport of this declaration was fully understood: nor was it even in those days generally acknowledged as a just and necessary severity, that juries, who refused to find a title in the crown; were frequently censured and fined in the castle-chamber.

THOSE

THOSE regulations, in which the royal equity and wisdom appeared to most advantage, were in many instances neglected and contemned. The vigilance of lord Chichester had not prevented abuses even in Ulster, where the plantations were carried on with the greatest care and regularity. Contrary to the express restriction of their patents, undertakers alienated their allotments by private contract; so that they, who had already their just proportion of lands, engrossed still more, without regard to those limitations prescribed by the king, in order to prevent an enormous extent of property, and of consequence a dangerous degree of power. In other districts, the planters had not only neglected to perform their covenants, but the commissioners appointed to distribute the lands, scandalously abused their trusts, and by fraud or violence deprived the natives of those possessions which the king had reserved for them. Some indeed were suffered to enjoy a small pittance of such reservation; MS. Trin. others were totally ejected. In the manuscripts of Col. Dub. bishop Stearne we find, that in the small county of Longford, twenty-five of one sept were all deprived of their estates, without the least compensation, or any means of subsistence assigned to them. The resentment of such sufferers were in some cases exasperated by finding their lands transferred to hungry adventurers, who had no services to plead; and sometimes to those who had been rebels and traitors. Neither the actors nor the objects of such grievances were confined to one religion; the most zealous in the service of government and the most peaceable conformists were involved in the ravages of avarice and rapine, without any distinction of principles or professions.

THE interested assiduity of the king's creatures in scrutinizing the titles to those lands which had not yet been found or acknowledged to belong to the Carta, crown, was, if possible still more detestable. The Oirm. lands granted to the original English adventurers and

and their immediate successors, had, in the confusion of several centuries, suffered considerable changes and alienations. Great men encroached on each other, and got possession of domains not included in their patents: their lands were lost, recovered, and lost again in the natural vicissitudes of time and public commotion; so as to occasion great confusion of titles. He, who could not establish the right of his possessions clearly and indisputably, lay at the mercy of the crown, and had no way but to compound on the best terms he could obtain, and to get a new grant of his estate.

WHERE no grant appeared, or no descent or conveyance in pursuance of it could be proved, the land was immediately adjudged to be belong to the crown. All grants of the crown, from the first year of Edward the second to the tenth of Henry the seventh, had been resumed by parliament; and the lands of all absentees, and of all that had been expelled by the Irish, were, by various acts, again vested in the crown; which impeached almost every grant of lands antecedent to that period. Nor did later grants afford a full security. If any former grant subsisted at the time when they were made; if the patents passed in Ireland were not exactly agreeable to the Fiant; if both did not accurately correspond with the original warrant transmitted from England; if any defect appeared in expressing the tenure; any mistake in point of form; any advantage to be taken from general savings and clauses in the patents; or any exceptions to be made in law, which is sufficiently fruitful in affording them, there was an end of the grant and of the estate which it conveyed. Thus was every man's enjoyment of his possessions precarious and disputable, at a time when commissioners were awarded to enquire by what title he enjoyed them.

Carte.
Orm.

THESE inquisitions, indeed, were at first proposed in cases where it was sufficiently notorious, that the possessors could have no legal title to their lands:

lands; where they had expelled old English colonies, whose heirs were not discoverable, and the lands of course escheated to the crown; where, if not violent intruders, they had neglected to take out patents, or to go through those forms of law necessary to make them legal possessors, or had notoriously violated those stipulations, on which their grants were made. But interested and officious agents soon learned to strain this objection of failure in covenants to a dangerous pitch of rigor. In several antient grants, there had been a reservation of rents to the crown; during long intervals of commotion, the king's revenue had not been nor could be regularly collected; nor had such rents been put in charge by his officers, for ages. Acquittances were now demanded: it was impossible to produce them; and the failure was pleaded as sufficient to overthrow the fairest titles.

It was an age of project and adventure; men's minds were particularly possessed with a passion for new discoveries, and planting of countries. They, who were too poor, or too spiritless to engage in distant adventures, courted fortune in Ireland. Under pretence of improving the king's revenue in a country where it was far less than the charge of government, they obtained commissions of enquiry into defective titles, and grants of concealed lands and rents belonging to the crown; the great benefit of which was generally to accrue to the projector, whilst the king was contented with an inconsiderable proportion of the concealment, or a small advance of rent. Discoverers were every where busily employed in finding out flaws in men's titles to their estates. The old pipe-rolls were searched to find the original rents with which they had been charged; the patent-rolls in the Tower of London were ransacked for the ancient grants; no means of industry or devices of craft were left untried, to force the possessors to accept of new grants at an advanced rent. In general, men were either conscious of the defects in their titles, or alarmed at the trouble
and

and expence of a contest with the crown ; or fearful of the issue of such a contest, at a time, and in a country, where the prerogative was highly strained, and strenuously supported by the judges. These enquiries, therefore, commonly ended in a new composition, made at as cheap a rate, and as easy an advance of rent as the possessors could obtain.

MSS.
Stearns,
Trip. Col.
Dub.

Yet there are not wanting proofs of the most iniquitous practices, of hardened cruelty, of vile perjury, and scandalous subornation, employed to despoil the fair and unoffending proprietor of his inheritance*.

Carte,
Orm.

OTHER grievances of an inferior kind were urged, not without reason ; sometimes, industriously aggravated by the discontented party. Such were the extortions and oppressions of the soldiers in various excursions from their quarters, for levying the king's rents, or supporting the civil power : a rigorous and tyrannical execution of martial law in time of peace ; a dangerous and unconstitutional power assumed by the privy council in deciding causes determinable by common law ; their severe treatment of witnesses and jurors in the castle-chamber, whose evidence or verdicts had been displeasing to the state ; the grievous exactions of the established clergy, for the occasional duties of their function ; and the severity of their ecclesiastical courts. These, and other matters of complaint, were loudly and incessantly enforced, even by those who were not immediately affected by the more enormous abuses of royal authority. They either lay under odious disqualifications, or were neglected by the state in the disposal of offices of trust and emolument ; they were overshadowed by new men sent from England to the king's service, whom they saw with indignation rising suddenly to affluence, by means not always delicate or just ; and, in the bitterness

* See the summary of the case of the Byrnes, extracted by Carte from the manuscript quoted in the margin. Carte's Ormond, Vol. I. p. 29.

terness of personal discontent, they examined the conduct of administration with severity, and clamored against every real or pretended grievance.

IN such circumstances, it is natural to suppose that every measure should be pursued to render the government of Ireland respectable, and even formidable; and the obvious measure for this purpose was a respectable military establishment. On the accession of James, the army of Ireland amounted to about twenty thousand. But the general reduction of the kingdom encouraged this prince, and his necessities obliged him, to reduce this army to the inconsiderable number of seventeen hundred and thirty-five foot, and two hundred and twelve horse. On the arrival of Diggs and the other commissioners in the year 1622, the forces were even farther reduced to thirteen hundred and fifty foot, divided into twenty-seven companies, of fifty each, and seven troops of horse, amounting to about two hundred; and these in such a condition, that they could have been of little use, had they been called out to service. Nineteen of the companies, and six of the troops were commanded by privy-counsellors, men of great property and influence, too powerful to be complained of, for any grievance suffered by their soldiers, and too deeply engaged in one common interest, to call each other to account. These captains secured their own pay, by stopping the rents due by them to the crown, and made the private men compound with them annually for theirs, at a third or fourth part of what was due by the establishment, on pretence of the great delay of disbursements, and the expences attending the solicitation of their demands at the treasury. Their companies, small as they were, considering the fashion of the age, were scarcely any of them complete; and little care was used in mustering them. Instead of being stationed in places of importance, duly exercised, frequently transmitted from one garrison to another,

so as to become acquainted with the country, and displayed from time to time in different parts, in full numbers and good condition, to the terror of the disaffected, they were dispersed in small parties through the estates of their officers, where they served to cultivate their lands, or were employed in the menial duties of their houses. Nor were the companies commanded by other officers in a better condition. The soldier of fortune, however distinguished in his profession, shared all the miseries of a long arrear of pay with the private sentinel; and, instead of restraining his men within the bounds of discipline, was obliged to concur with them in those outrages and oppressions, by which they endeavoured to supply their necessities.

It seems extraordinary, that in a country, accustomed to violence and insurrection, among a people irritated and insulted, enflamed by superstition, pressed by necessity, and stimulated by the suggestions of the turbulent and factious, the king should be enable to execute his schemes of innovation, to change the properties of lands in various districts, transplant the old inhabitants, and settle new colonies; while his government in Ireland, rigorous and offensive as it was in various instances, was supported only by an inconsiderable body of forces, poor, mutinous, and disordered, so as scarcely to preserve the appearance of a military establishment. But the old Irish lords and chieftains, were now deeply impressed with the miseries of Tirone's rebellion, their power and consequence diminished, without arms to furnish the remains of their followers at home, and without hopes of succour from abroad. Many, who in former times were abjectly devoted to their service, had by this time risen to some degree of consequence, by obtaining permanent freeholds, and enjoying the benefits of English law. Of these, the more discerning were grateful to government, for their present security and independence,

pendence, and could not be seduced into their former slavish submissions. And although the manners and tempers of the old Irish could not be at once completely modelled to civility, yet the progress made in reforming those of their own race, and the numbers of British inhabitants introduced into the several plantations, formed a considerable balance against the turbulent and discontented. The king's schemes of reformation were not indeed conducted without abuses, and, in some instances, were in themselves grievous and oppressive; but the grievances of some particulars did not prevent the general good effects of his arrangements. Lands were cultivated and improved, the commodities of the country encreased, towns and villages built, commerce carried on with unusual vigor and extent; so that the customs now began to afford some revenue to the crown, an advantage hitherto unknown. And in proportion as industry and civility advanced, the spirit of insurrection was allayed and controuled.

THERE remained, however, circumstances and ^{Carte,} occasions, more than sufficient to require a vigilant ^{Orm.} and well supported government; and incidents sometimes occurred to alarm the state. In the remoter parts of Ireland, where the antient manners still prevailed, numbers of idle men were harboured, young, active, high-spirited, and not provided with any regular means of subsistence; of consequence turbulent, querulous, and eager for alterations. James deemed it prudent to drain the country of such inhabitants, and therefore gave licence to enlist them for foreign service; not considering the immediate danger of embodying such men; the consequences of teaching them the art of war; or else sacrificing his apprehensions to the gratification of the court of Spain, at the time when he was treating for his son's match with the infant. The officers who were to raise, and conduct these men to the continent, were mostly the sons or retainers of the old rebels, devoted to the heir of the late

earl of Tirone; men who had been bred abroad in extravagant ideas of the antient grandeur of their families, and inveterate aversion to the English government. They passed into Ireland early in summer to make their levies; they readily filled up their companies, but delayed to transport them: they neglected the orders and limits prescribed to them, ranged tumultuously through the kingdom, to the great annoyance and terror of the peaceable inhabitants; traversed those counties in which their families and connexions were most powerful, curiously observing all parts and places; renewing their old friendships, practising with the discontented, confirming their prejudices, and enticing away their children from twelve years old and upwards, to be conveyed into foreign countries for education.

Such proceedings were justly alarming to the state; and the alarm was encreased, when, at the approach of winter, these captains advanced with their men, in different bodies, to the neighbourhood of Dublin; burdening and harassing the country, and neither prepared nor inclined to embark. It was resolved to detach some companies from garrison to the new planted countries for their security; at the same time some troops of horse were drawn to Dublin, to attend the behaviour of the Irish companies quartered near the city, and to meet any mischief that might arise. With difficulty, and by slow degrees, the transportation of the levies was effected; and the government freed from the apprehension of immediate danger.

Carte.
Orm.

It was mortifying to the king's deputy, to be sent to administer a government, unsupported, exposed to the insults of its enemies, perpetually alarmed, and totally destitute of the necessary resources. Faulkland made repeated representations of his distress, to James and his English council; enlarged on every circumstance which discovered the malignity of the disaffected, urged the danger to be apprehended from the recusants, a powerful party,

party, ready to embrace any violent measures which their clergy should dictate; the alarming influence of this body, and the consequences to be apprehended from their mutual union and connexion with Rome; as it was now discovered, that an ecclesiastical hierarchy, with a regular subordination of orders, offices, and persons, was established throughout the kingdom by the papal power; their jurisdiction exercised with as much regularity, and their decrees executed with as full authority, as if the pope were actually in possession of the realm. Every circumstance that could awaken the suspicion of the king and his ministers, or alarm their fears for the peace and security of Ireland, was urged, to enforce the necessity of a speedy augmentation of the army in this kingdom: the propriety of this measure was apparent; but an improvident prince, who lavished his treasure, carelessly and capriciously; whose exchequer was empty, and even his credit exhausted; whose parliament was frugal, cautious, and suspicious of the king, could not, without a natural reluctance, listen to any scheme that must encrease his expence. His revenue in Ireland was considerably short of the charge of government; and such had been the want of œconomy in the military establishment, that it amounted, notwithstanding the wretched number of forces, to no less than fifty-two thousand five hundred pounds Irish. The customs had, indeed, encreased in the present reign, from fifty pounds annually, to three thousand, to six thousand, and afterwards to nine thousand seven hundred pounds. The wars of Ireland, and the profits derived from them, were, till the year 1617, at the absolute disposal of the deputy. The king then took them into his own hands, and by erecting a special office, executed by commissioners, and afterwards by the establishment of a court of wards and liveries, contrived, in a short time, to raise the revenue arising from wardships and tenures, to ten thousand pounds annually. But such gradual improvements

provements were not adequate to the necessities of government, and notwithstanding their utmost operation, the annual charge was above sixteen thousand pounds more than the annual revenue of the kingdom.

To supply this terrible deficiency, the commissioners sent from England to examine the state of the revenue, applied themselves with zeal and assiduity. But as their knowledge of the country, and the temper and circumstances of its inhabitants was not equal to their abilities, the devices they suggested were frequently impracticable or dangerous. They were scandalized at useless pensions, and appointments paid to officers of forts erected to defend the infant plantations, which were intended to last only for a time, until the settlements should be completed; but they soon despaired of remedying the abuse, when they found these pensions belonged to the most considerable persons in the kingdom, men who shared in the administration, of too great influence and power to be dispossessed, or even provoked. Two other projects, which gave a violent and extensive alarm, proved equally unsuccessful. The cities and corporations of Ireland had received grants of large estates, not to be alienated, but regularly applied to the building of walls, and bridges, repairing fortifications, and other public or charitable purposes. In some cases, alienations had been made without licence; in others, the intended applications had been neglected. It was therefore proposed to resume these lands, and to raise the sum of fifty thousand pounds, by fines on regranting, or otherwise assigning of them. But this was a scheme, deemed on reflection extremely hazardous and dangerous to attempt. In a country long injured to turbulence, at a time when government was neither duly supported, nor sufficiently respected, the danger of irritating large bodies of men, was seriously weighed; and it was soon determined not to provoke those, who, relying on their numbers,

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were naturally apt for sedition, and could easily engage a popular clamor in their cause.

ANOTHER device of these reformers affected the inhabitants of an entire province. The lords and gentlemen of Connaught, including the county of Clare, on their composition made with Sir John Perrot, in the reign of Elizabeth, had indeed surrendered their estates to the crown, but had generally neglected to enrol their surrenders, and to take out their letters patent. This defect was supplied by king James, who, in his thirteenth year issued a commission to receive surrenders of their estates; which he re-conveyed, by new patents, to them and their heirs, to be holden of the crown, by knight's service, as of the castle of Athlone. Their surrenders were made, their patents received the great seal, but, by neglect of the officers, neither was enrolled in chancery, although three thousand pounds had been disbursed for the enrollments.

ADVANTAGE was now taken of this involuntary omission. Their titles were pronounced defective, and their lands adjudged to be still vested in the crown. The project recommended to the king, was nothing less than that of establishing an extensive plantation in the province of Connaught, similar to that of Ulster; and in his rage of reformation it was most favourably received. The proprietors were justly alarmed; they and their partizans did not fail to make the most pathetic representations, of the cruelty and injustice of depriving a great number of peaceable and loyal subjects of their estates, by a merencity of law, in derogation of the faith and honor of the king's broad seal. The omission of enrolment was not imputable to them. An act of state had, in lord Grandison's government, declared them confirmed in their possessions, for which they had paid large sums into the exchequer, and were allowed to have ever discharged their annual compositions with remarkable punctuality. The project of a great western plantation was not only

only difficult and complicated, but dangerous to be attempted, in a province strongly situated, inhabited by an active and spirited people, abounding in idle swordsmen; who, if driven to extremities, might at once rush into the most desperate courses that pride, resentment, and necessity could suggest.

BUT, instead of relying on the equity of the king, or his fears of future danger, the lords and gentlemen whose lands were threatened, wisely contrived to suspend the alarming project, by addressing themselves to his immediate necessities. They entered into treaty with their provincial lord president at Athlone, and with the state at Dublin. They offered to purchase a new confirmation of their patents, by doubling their present annual composition: and as their tenure exempted them from suing out their liveries or taking the oath of supremacy, they likewise agreed to pay a fine of ten thousand pounds, computed to be as much as the king could gain by a plantation. The proposal was received with due attention. James had, about this time, broke with Spain, and engaged in a war for the recovery of the Palatinate. It had been long experienced that the malecontents of Ireland regarded the Spaniards as their great resource, and were readily influenced by Spanish counsels. To guard against their attempts, it was resolved, as a measure absolutely necessary, to augment the forces of Ireland to four thousand; but the king's death interrupted the treaty with Connaught, by which the new armament might have been assisted. The scheme of a western plantation was suspended; and the care of providing for the security of Ireland devolved on Charles, together with the other perplexities attending the commencement of his reign.

THE accession of a prince involved in foreign wars, and embarrassed by domestic factions, raised an unusual ferment among the discontented in Ireland. They were no strangers to the necessities
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of the king, the murmurs and jealousies of his first ^{Carte,} parliament and their reluctance to grant such sup- ^{Orna.} plies as he deemed necessary for the operations of his government. The recusants in particular looked A. D. on a period which threatened disorder and distrac- ^{1625.} tion to the state of England, as peculiarly favorable to their views; they manifested an extraordinary contempt of penal statutes, and no great respect to the government of lord Faulkland, who was continued in his station of deputy: and the practices of Rome were employed to encourage and enflame them. A bull, of pope Urban the eighth, exhort- ^{A. D.} ed them rather to lose their lives than to take that ^{1626.} wicked and pestilent oath of supremacy, whereby the sceptre of the catholic church was wrested from the hand of the vicar of God Almighty: and such senseless blasphemy, had its full effect upon their ignorance and superstition.

THE turbulence of this party, and the danger to be apprehended from their practices, were urgently represented to the king by his Irish council, composed of the new English, fraught with the puritanic spirit, and full of horrors and fears of popery. In proportion as the alarm of intestine danger prevailed, it was deemed more necessary to secure the kingdom against any attempt of foreign enemies. Charles determined that his Irish forces should be farther augmented to five thousand foot, and five hundred horse. With a strict attention to æconomy, the additional recruits were destined to fill up the old, instead of forming any new bodies; yet, still unable to supply the necessary expence, and unassisted by parliament, the king, without scruple, recurred for the present to prerogative. He ordered this army to be quartered on the different counties and towns of Ireland, who were to maintain them in turn, for three months at a time, with money, clothes, and victuals. To reconcile the people to an imposition so extraordinary and so severe, letters were addressed by his deputy to the several

veral communities, recommending a chearful submission, promising that the usual composition should be suspended, and that the king should grant other graces, which should amply repay this their extraordinary expence.

THE hopes of extorting some favourable concessions from the king's necessities induced the Irish subjects to submit, with less reluctance, to the present burden. They were still exposed to vexatious inquisitions into the titles of their estates, and were impatient to be freed from the apprehensions of litigious suits. The popish party were not more solicitous for the interests of their religion, than to extricate themselves from the disadvantages and mortifications to which they were exposed by the penal statutes. Their brethren in England were assiduous to recommend themselves to the king, by zealously supporting his unconstitutional measures. With the same policy the recusants of Ireland affected an extraordinary solicitude to provide for the necessities of his Irish government. They conferred with the state of Dublin. They gave lord Faulkland assurances, that if some indulgence were granted to those of their religion, a voluntary contribution might be obtained for the maintenance of the king's army. Those of the protestant party, who had their grievances to be redressed, and their apprehensions to be quieted, concurred in these assurances. They were favourably received. A grand meeting of the principal nobility and gentry, in which the popish party was by far the more numerous, assembled in the castle of Dublin: they offered large contributions to purchase security to their lands, and a suspension of the penal statutes. Lord Faulkland, far from discouraging their overtures, advised them to send agents into England, to make a tender of their dutiful services to the king, and to submit the grievances and inconveniences to which they were exposed, to his gracious consideration.

THE

THE bare hopes of indulgence were sufficient to elevate the spirits of the popish party, even to extravagance. Reports were spread that they were now to be gratified with a full toleration of their religion, and it was exercised with an offensive triumph, as if that toleration were already granted. The protestant clergy were provoked at their insolence, and scandalized at the concessions of government: all of them were seriously averse to popery, many even to a degree of rancour, imbibed among the English and the Scottish puritans. On the plantations made in the reign of James, the new colonists had been supplied with teachers principally from Scotland. They formed their churches on the presbyterian model; and many refused to accept episcopal ordination. To quiet such scruples, he
bishops, by the approbation of Usher their learned
metropolitan, consented to ordain them to the mi-
nistry, without adhering strictly to the established
form, and to admit some of their brethren of the
Scottish presbytery to a participation of their office.
Thus the Scottish teachers enjoyed churches and
tythes, without using the liturgy, and by zeal and
diligence in their ministry gained a considerable de-
gree of respect and authority. Such men clamored
loudly against the horrid design of selling the
truth, and establishing idolatry for a price: their
brethren of other provinces, who had generally some
portion of the same spirit, readily united in the clamor.
The archbishop of Armagh, in this time
of danger and offence, acted with the zeal that
suited his superior station. He assembled several
of the Irish prelates, to deliberate on the danger to
which they were exposed, and to bear their testi-
mony against the ungodly concession to popery me-
diated by the state. In the fervor of their zeal,
these prelates unanimously subscribed a protestation,
which they called, "The judgment of diverse of
" the archbishops and bishops of Ireland concern-
" ing toleration of religion."

Neal,
Hist. of
Purit. V.
II. p. 95.

“ THE religion of the papists,” said they, “ is
 “ superstitious and idolatrous; their faith and doc-
 “ trine, erroneous and heretical; their church, in
 “ respect of both, apostatical. To give them
 “ therefore a toleration, or to consent that they
 “ may freely exercise their religion, and profess
 “ their faith and doctrine, is a grievous sin, and
 “ that in two respects; for, first, it is to make
 “ ourselves accessory not only to their superstitions,
 “ idolatries, and heresies, and, in a word, to all
 “ the abominations of popery, but (also, which is
 “ a consequence of the former) to the perdition of
 “ the seduced people, which perish in the deluge
 “ of the catholic apostacy. Secondly, to grant
 “ them a toleration, in respect of any money to be
 “ given, or contribution to be made by them, is to
 “ set religion to sale, and with it the souls of the peo-
 “ ple, whom Christ hath redeemed with his blood.
 “ And as it a great sin, so it is also a matter of
 “ most dangerous consequence: the consideration
 “ whereof we commit to the wise and judicious, be-
 “ seeching the God of truth to make them who are
 “ in authority, zealous of God’s glory, and of the
 “ advancement of true religion; zealous, resolute,
 “ and courageous, against all popery, superstition,
 “ and idolatry*.”

THE same abhorrence of popery, and the same
 indignation against an attempt to set religion to sale,
 were expressed with great ardour from the pulpits.
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* We are told (in the life of primate Usher) that this protestation had a considerable effect in retarding a project, the success of which was absolutely necessary to the king’s affairs; and that lord Faulkland therefore requested the primate, in regard of the great esteem in which he was held by both parties, to move them to grant an aid, without any previous conditions. Possibly the good prelate was the readier to undertake this office, as it might tend to remove any suspicions of the purity of his conduct, or of his affection to the king’s service. His speech on this occasion was vehement, artful, and pathetic, and so acceptable to the state, that it was immediately transmitted to the court of England.

The insolence of the popish party, the public manner in which they presumed to exercise their rites, were represented in England in the most offensive and alarming manner. The commons looked with strictness and severity into every instance of male-administration; they could not pass over any incident which tended to justify their own suspicions of a secret indulgence to the popish religion. It therefore became an article of parliamentary remonstrance, that popery was publicly professed in every part of Ireland; and that monasteries and nunneries were there newly erected and replenished with votaries of both sexes.

In the mean time, the Irish agents continued their solicitations at the court of Charles, and, in ^{Carte.} despite of public clamor and suspicion, found a ^{Orm.} very favourable reception for their overtures. They made the tempting offer of a voluntary contribution of one hundred and twenty thousand pounds to be paid in three years, by the way of three subsidies, each amounting to forty thousand pounds, and each to be divided into equal quarterly payments. The graces which they solicited in consequence of this extraordinary exertion of loyalty, were in some instances indeed favourable to recusants, but such as in general were evidently reasonable and equitable, calculated for the redress of those grievances which persons of all denominations had experienced, and tending to the peace and prosperity of the whole nation. The bounty was ac-^{A. D.} cepted, the graces conferred, and transmitted by ^{1628.} way of instruction to the lord deputy and council.

Among the numerous articles of which this instruction was composed, the most important were, that whereby the subjects were secured in the quiet enjoyment of their lands, by limiting the king's title to sixty years, and renouncing all claims of any earlier period; that which admitted the recusants to sue their liveries, ouster-le-mains, and other grants, depending in the court of wards, and to
practice

practise in the law courts, on taking an oath, substituted in the place of the oath of supremacy, by which they professed to acknowledge, and promised to defend Charles as the lawful and rightful king of the realm; and that which admitted the inhabitants of Connaught to make a new enrollment of their patents, and thus to secure their titles from future litigation.

By other articles, provision was made for restraining the burden and oppressions of the soldiery: for preventing grants of protection to persons obnoxious to the courts of law, for resuming or limiting various patents of monopolies; for regulating the collection of the king's rents and assessments for robberies; for restraining the abuse of reprieving malefactors; for moderating the fees of courts and sheriffs; reducing the provost's marshals to one in each province, and confining the execution of martial law to times of war and rebellion.

WITNESSES in private causes were no longer to be bound over to the castle-chamber; nor jurors, to any court, but on very apparent suspicion of corruption and partiality. Custodiams of lands, granted upon outlawries, were to be discharged immediately on a certificate of the reversal. The testimony of persons notoriously infamous or capitally convicted, for condemnation of any subject, was not to be admitted but with certain due restrictions.

THE court of wards was also regulated and abridged in the exercise of its powers. No grants of intrusions, or alienations, or leases of men's lands, were to be made out of that court, before the party interested were personally summoned. No relief was to be paid for lands not exceeding five pounds a-year. No clerk, or inferior officer in that court, was to be made a commissioner for taking offices. Some of the best condition in each county were to be joined with the feodary and escheator in taking inquisitions. The court was inhibited from making enquiries farther than to the last

last deceased ancestor, unless by special direction from the king. All compositions in this court were limited to the eighth part of the real value of the lands. And the wardships and custodies of the estates of minors were to be moderately valued.

For the more equal distribution of public burdens and charges, bishops and patentees of dissolved monasteries (who pretended to certain privileges and exemptions) the new corporations, impropriations, and the temporal lands of ecclesiastics, were all made subject to them.

For the better discharge of the pastoral care, it was provided, that pluralities of benefices should not be bestowed upon unqualified persons; that incumbents should be compelled to preach, or keep sufficient curates; that commissions should be issued for enquiring into endowed vicarages possessed by lay-impropriators, and to reform the abuse; and that the incumbents of extensive rectories should be enjoined to maintain preaching-ministers in chapels of ease.

As the popish recusants had clamored against the severe demands of the established clergy, it was provided, that all unlawful exactions taken by the clergy be reformed and regulated. And the rigor with which their demands had been enforced, may be collected from the injunction annexed, "That
" no extraordinary warrants of assistance, touching
" clandestine marriages, christenings, or burials, or
" any contumacies pretended against ecclesiastical
" jurisdiction, are to be issued or executed by any
" chief governor; nor are the clergy to be per-
" mitted to keep any private prisons of their own
" for these causes; but delinquents in that kind
" are henceforth to be committed to the king's
" public goals, and by the king's officers."

For the advancement of trade, it was provided, that several commodities might be transported into any of the king's dominions, or other countries in amity with him: that living cattle might be brought
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into any of his dominions without restraint or licence; and wool transported into England only, paying the ordinary customs and duties.

ANOTHER article, though seemingly of little consequence, yet serves to shew that the king's ministers had been less attentive to reform the old natives than to derive advantage from their ignorance and barbarism. The old odious custom of plowing by the tails of cattle, or using the short plows, as they were called, had been forbidden by an act of state, under the penalty of ten shillings yearly on every such plow. Their superiors were little attentive to teach the poor a better method; nor were the king's officers solicitous to force them from their barbarous custom; they contented themselves with levying a penalty, from which they themselves derived the principal advantage, and thus converted it into a regular tax, so oppressive as to become a just subject of complaint. The penalty was therefore taken away, and the abuse referred to the cognizance of a future parliament.

For the benefit of the undertakers of Ulster, the Scots were appointed to be made denizens, so as to enjoy the full advantage of their settlements. Those who, by neglect of articles, had rendered their grants resumable; were confirmed in their estates on doubling their rents, and paying a fine at the rate of thirty pounds for every thousand acres. A commission was directed for passing new patents (of which the want and delay had made them uneasy for some years) and to make a reasonable composition with those among them who had built on glebe lands, and the incumbents to whom the glebe belonged. And for the satisfaction of planters in other counties, who, by a like neglect of articles, had forfeited their titles, a farther time was granted to them for performing the conditions of their plantation.

For

For a further security to all proprietors, their several estates were to be confirmed to them and their heirs by the next parliament to be holden in Ireland; in which, likewise, to remove the jealousies and apprehensions of every one throughout the realm, an act was to be passed for a free and general pardon.

BUT in this capital article, which was to have given these graces the same force and stability with the petition of rights, granted about the same time in England, the king's sincerity appeared at least suspicious. The body of instructions were transmitted in the month of May: in these the king explicitly appointed the third day of the succeeding month of November as the time when he intended that the Irish parliament should be holden. Lord Faulkland, without attending to any farther circumstances of formality, issued writs of summons for an Irish parliament to meet on the day named by the king. The impropriety of this procedure was obvious: by the law of Poynings a certification of causes and considerations, by the lord deputy and council of Ireland, was previously necessary, before the king's licence could be transmitted for holding a parliament in that kingdom. The council-board of England soon discovered and censured an omission so essential. The matter was referred to the judges, who pronounced the present writs of summons illegal and void. It seems extraordinary that the king and his ministers could have been ignorant of the legal method of proceeding on this occasion: or if that careless inattention to the affairs of Ireland, which sometimes prevails in England, in times the most composed, betrayed them into error, in these days of agitation, it is still more extraordinary, that the deputy and council of Ireland should have been equally ignorant and erroneous. But, whether the irregularity were casual or premeditated, nothing could have been corrected more easily and readily, if Charles had been sincerely disposed

posed to give effectual relief and satisfaction to his Irish subjects. Yet no new writs were issued, nor any new time assigned for a legal and regular convention of the Irish parliament.

Yet, as the people still relied on the royal promise, and as an act of state, though not confirmed by parliamentary sanction, had usually great weight in Ireland, the present concessions were received with general satisfaction. They seemed to complete that scheme of reformation, which was begun and carried on by James, with so much vigor and success. To succeeding times, they promised to leave the easier task of correcting accidental abuses; and the merit of devising schemes of improvement, to promote at once the prosperity of the people and the interests of the crown.

END OF THE SECOND VOLUME.

A P P E N D I X.

THE following Speech is one of the remains of Sir JOHN DAVIS, hitherto preserved only in manuscript. It was addressed, by this able and judicious enquirer into the affairs of Ireland, to lord deputy Chichester, in the year 1613; when the author was presented and approved as speaker of the first house of commons formed in this country by a *general* representation, instead of being confined to members sent by the counties and boroughs of the PALE. It is printed from the copy in the original journal of this house of commons, communicated to the author by JOHN LODGE, Esq. It contains, and I have referred to it by the title of,

*A Dissertation on the Progress and Constitution of the
Legislature of Ireland.*

I HAVE ventured to subjoin a few notes, where the positions of Davis seem liable to exception, notwithstanding the weight of his authority; or where it was deemed proper to enforce, or to open some particulars which he hath touched lightly.

Die Veneris xxi^o. Maii, 1613:

The Speaker's second Speech in the Higher House, when the Lord Deputy had approved his Election, viz.

Most honourable and Right Noble Lord;

SINCE your high wisdom, (unto which I humblye made my appeale) hath not thought it fitt to repeal, but rather to ratifye and confirme the judgment of these worthy knights and burgesses in electing mee, (yet still unworthie in myne own opinion) to be their speaker, (which your lordship

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I doubt not hath ben pleased to doe, not in regard of any worthines appearinge in mee, but for the honourable respect you worthelye beare to that grave and wise assembly that made the election ;)

I do humblye and absolutely submitt myselfe to your lordships pleasure, and since these gentlemen have first conferred upon mee, and now your lordship hath confirmed unto mee, the name and office of a speaker, I will presume (with your lordship's grace and favour) to speak somewhat in this greate and entire assemblye of all the states of this kingdome, that shal be proper and agreeable to the circumstances of the tyme, of the place, and of the persons that are here assembled.

IT is a saying, and a rule of the wisest kinge that ever lived, *ubi multa consilia, ibi salus populi* ; and it is the direction of the wisest kinge nowe livinge, that a common counsell shal be holden at this tyme, and at this place for the common good of the kingdom of Ireland.

SUCH common counsell, or assemblyes of states, are usuall in all states and common wealthes in one forme or another, and in divers countryes are called by divers names, but under the English monarchie and the French, which are the two best tempered monarchies in the world, they are called *parliamentes*.

THESE *parliamentes*, though they consist of three different estates, the kinge, the nobillitye, and the commons, yet, as in musick, distinct and severall notes do make a perfect harmonye, so these counsell compounded of divers states and degrees being well ordered and timed, do make a perfect concord in a common wealth, *Nam quæ harmonia dicitur a musicis in cantu, ea est in civitate concordia*, saith Cicero, and this concord and harmonye of hearts, doth ever produce the safetie and securitye of the people, which is the *salus populi* that Salomon speakes of.

WHEREOF there cannot bee a more certain demonstration then this, that these two kingdomes, which have been ruled by these *parliamentes* are nowe the most auintient imperiall monarchyes of Christendome, and are withall twoe of the most flourishinge common wealthes that are to be seene upon the face of the earth.

BUT what doth this concerne this kingdome of Ireland, or what application hath it to the place and persons present ? Assuredlye when I speake of the monarchye of England, I include the kingdome of Ireland, withing the circle of that imperiall crowne.

FOR the kinges of England noe sooner were lordes of Ireland but they made (A) a reall unyon of both these kingdomes, as is manifest by authenticque records of the tyme of kinge

kinge John, and kinge H. 2d. so as Ireland became but as a member, quasi membrum Angliæ, as it is resolved by all the justices in 3 H. 7. It became a member appendant and belonging, as the act of facultyes 28 H. 8. calles it or united and annexed to the imperiall crowne of the realme of England, as the statute of 33 H. 8. (which gave to that prince the title of kinge of Ireland) doth terme it.

AND now at this day (God be blessed) the subjects of both realms have but one kinge, which is the renowned kinge of England, and are ruled and governed by one common lawe, which is the just and honourable common lawe of England; and as there is nowe but one common lawe, so for the space of (B) 140 yeares after kinge H. 2d. had taken possession of the lordship of Ireland, there was but one parliament for both kingdoms, which was the * * * * * all that tyme. But the lawes made in the parliaments of England were from tyme to tyme transmitted hither under the great seale of that kingdome, to be proclaymed, enrolled, and executed as lawes of this realme.

IN this manner was the great charter of the antient liberties of the English subjects, the statutes of Merton and Marlebridge, sent over by king John and king H. 3. the statutes of Westminster, the first, second, and third, and the statute of Gloucester by kinge Edw. 1. the statutes of Lincolne and of Yorke by kinge Edw. 2.

AMONGST the rest, that of Westminster the second, and that of Yorke, in their severall preambles do make expresse mention, of the people and lande of Ireland as well as of England where the lawes were made.

ALL which statutes, together with the warrants and writtes, whereby they were transmitted; wee finde enrolled, and preserved to this day among the records of this kingdome.

But when then? how long since? in what kings raigne was this great common councell, this high court of parliament, erected first and established in Ireland?

(C) DOUBTLES, though the rest of the ordenarye courts of justice beganne with the first plantation of the English colonyes here, yet the wisdom of the state of England thought it fitt to reserve the power of makinge lawes to the parliametes of England for many yeares after.

So, as this high extraordinarye court was not established in Ireland by authority out of England, for many yeares after in the forme that nowe it is, 'till towards the declyning of kinge Edward the seconds raigne. For before that tyme, the meetings and consultations of the great lordes, with some of the commons for appeasing of dissensions among themselves, though they be called parliaments

ments in the antient annales, yet being without orderlye summons or formal proceeding, are rather to be called parlies then parliaments.

BUT by what reason of state was the state of England moved to establish this court of parliament in Ireland at that tyme?

ASSUREDLYE this common-councell was then instituted when Ireland stood most in neede of councell, for under the conduct of Edward le Bruis, the Scottish nation had over runne the whole realme, England had the same enemye att her backe, and the barons rebellyon in her bowells, and so being distracted in her selfe, could give neyther consilium nor auxilium to the distressed subjects here, so as they being left to their owne strength and councell, did then obteyne authoritie from the state of England to hold this common-councell, of the realme among themselves, for the quenching of that common fyre that had almost consumed the whole kingdome.

AND this by the testimonye of the best antequaryes, was the first tyme, and first occasion of institutinge this highe court of parliament in Ireland.

BUT nowe whye should I not (with your lordships favor) proceede further, and take a brieve viewe of the principal parliaments that have ben holden in Ireland since that tyme, and therein note and observe what were the motives from tyme to tyme of calling these common-councells, and what and howe manye the persons were, that were wont to be called thereunto, that it may appeare by way of comparison howe farre this parliament is like to excell all former parliaments holden in this kingdome, not onelye in the felicitye of the tyme, but in all there circumstances whatsoever.

CERTAYNE it is, that the incursion of the Scotts, and the insurrection of the Irish concurring with it, and the intollerable oppression and extortion of the great lordes of the realme, under collour of meyntyninge that armye, that should repell the one, and repress the other, brought such miserye and desolation upon this lande about the latter end of Edward the 2ds raigne, as the English colonyes of the provinces, without the English Pale, fell for the most parte into such corruption of manners, as it became a greater labour to reforme them by the lawe, than to conquer their enemies by the sword.

THEREFORE in the beginning of the raigne of king Edward 3d. Sir Anthony Lucye did summon and hold one parliament, and Sir Ralph Ufford an other, and the principal cause of holding both these parliaments was to repress the insolencys, and reforme the abuses of they great lords descended of English race, of which the earle of Desmond was the most exorbitant offender.

AND

AND after that duringe the same kings raigne. Sir Thomas Rookesby at one tyme, and Lyonell duke of Clarence at another, held several parliaments at Kilkenny, which tended to no other end but to reduce the degenerate English in generall from the barbarous customes of the Irish to their antient civil manners, and the obedience of their true mother the state of England.

AFTER this wee finde the same cawse still to contynue, of calling the succeedinge parliaments in this realme untill the warres of Lancaster and Yorke began, which made a great alteration in both kingdoms.

FOR if you look into the parliament rolles of those tymes which are meane betweene the 40th yeare of kinge Edward 3d and the 30th yeare of kinge H. 6. wee shall first fynde the statutes of Killkennye confirmed in every parliament, and then the lawes of principall consideration are against coigne and liverye, sesse of soldiers, night suppers, cumrick, and the like extortions, and lewde customes, which the English had learned among the Irish.

So as for the space of 140 yeares after the first erecting of this high court in Ireland, itt is apparant that never anye parliament was called to reduce the Irishrye to obedience, or to perfect the conquest of the whole island, but onely to reforme the English colonyes, that were become degenerate, and to retayne the soveraigntye of the crowne of England over them onely and to no other end or purpose.

BUT when the civill warre in England betweene the twoe houses was throughlye kindled, that fyerye constellation made such an impression upon this realme also, as the nobillitye followinge the severall factions of England fell into the like dissention here, which gave the Irish opportunitye to reconquer the greatest parte of the English colonyes, whoe thereupon fell into such a relapse of barbarisme, as the fruite of the former parliaments was utterlye lost, and noe parte of the realme but these foure shires of the Pale left under the obedience of the lawe of England.

BUT what did the governors of this kingdome then, when the jurisdiction of the lawe was drawne into so narrowe a compasse? Did they summon any more parliaments, or did they omitt to call the common-councell of the realme, for that the greatest parte of the realme had rejected the English lawe and government?

ASSUREDLYE they were so farre from that neglecte, or omission, as parliaments were never called so often, nor so thicke one upon another, as in the tymes of kinge H. 6. and kinge Edward 4th. for scarce there past a yeare without a parliament, and sometymes twoe or three parliaments were summoned and held within the compasse of a yeare which was
such

such a trouble and charge to the subject, as a special lawe was made, that there should be but one parliament held in a yeare.

BUT to what end did they call so manye parliaments, what matters did they handle in these common-councells? Did they consulte about the recoverye of the provinces that were lost? or about synall subduynge of all the Irishrye? Wee finde no such matters at all propounded, but wee finde in the parliaments in the rolles of that tyme, an extraordinary number of private billes and petitions answered and ordered in parliament, conteyninge such meane and ordenarye matters, as but for want of other business, were not fitt to be handled in so highe a courte.

AND such were the motives of callinge the parliaments in this kingdome, and the matters therein debated, duringe the warres of Yorke and Lancaster, and after that likewise untill the tenth yeare of king H. 7th.

IN that yeare, which was the tenth yeare after the unitynge of the roses, as nowe it is full ten yeares, since the unitynge of the kingdomes under one imperiall crowne. (A happie period of tyme wee hope for holdinge of a parliament in this kingdome.)

IN that yeare did Sir Edward Poyninges summon and holde this famous parliament, wherein doubtles hee shewed a lardge heart, and a greate desire of a generall reformation, and to that end procured many generall lawes to passe, which wee finde most profitable and necessarye for the common-weale at this daye.

AMONG the rest hee caused twoe lawes to be made, which may rightlye be called *leges legum*, being excellent lawes, concerninge the lawes themselves, whereof one did look backwarde to the tyme past, and gave a great supplye to the defects of former parliaments, by confirminge and establishinge at once in this realme all the statutes formerlye made in England.

THE other looked forward to the tyme to come, by providing that from thencefourth there should be noe parliament holden here untill the acts which should be propounded were first certiefied into England, and approved by the kinge and his counsell there, and then returned hither under the great seale of that realme.

[D] THIS latter act is that wee call Poynings act, and is in deede that act of parliament which is a rule for our parliaments untill this daye.

BUT these acts past by Sir Edward Poyninges, though they were made and meant for the generall good, and gave indeed the first overture for the general reformation that hath followed since that tyme, yet could they not produce so good
and

and greates an effecte as was intended by those lawes, because that more then three partes of foure of this kingdome at least were then and longe after possest by the Irish and unreformed English, which were not answerable to the lawe.

As for the principall parliaments which have ben holden since that tyme, duringe the raignes of king H. 8. queene Marye, and queen Elizabeth, (for kinge Edward 6th. did call noe Parliament in Ireland) they were all summoned upon speciall and particuler occasions, and not for the general settlement of the whole kingdome.

FOR to what end was the parliament holden by the L. Leonard Graye in 28°. H. 8.vi. but to attaynt the Giraldines, and to abolishe the usurped authority of the pope.

WHEREFORE did Sir Anthonye St. Leger call the next parliament after in 38°. H. 8.vi.; but to invest that prince with the title of kinge of Ireland, and to suppress the abbeyes and religious houses?

To what purpose did Thomas Earle of Sussex hold his first parliament in 3°. & 4°. of kinge Phillip and queene Marye, but to settle Leix and Ossallye in the crowne?

AND his second in the second yeare of queene Elizabeth, but to re-establish the reformed religion in this kingdom?

WHAT was the principall cause that Sir Henry Sidney held a parliament in the xjth yeare of queene Elizabeth, but to extinguishe the name of O'Neale, and entitle the crowne to the greatest parte of Ulster?

AND lastlye, what was the chiefe motive of the last parliament holden by Sir John Perrott, but the attaynder of twoe great peeres of this realme, the viscount Baltinglas, and the erle of Desmond, and for vestinge of their lands, and the lands of their adherents, in the actual possession of the crowne?

AND now havinge made sumarye collection of the principall causes of summoninge the former parliaments, which from tyme to tyme have ben holden since the first institution of this high court in Ireland, I must not forgett to note also unto your lordship, what and now manye persons were called in former tymes to make up the bodye of this great councill.

FOR the persons before the 35°. yeare of kinge H. 8. wee do not finde any to have had place in parliament but the English of bloud, or English of birth oneley, for the mere Irish in those dayes were never admitted, aswell because their countreyes lying out of the lymittes of countyes, could sende noe knights, and having neyther cittyes nor boroughs in them, could sende noe burgesses to the parliament; besides the state did not then hold them fit to be trusted with the councill of the realme.

FOR the number since before the 34th yeare of kinge H. 8. when Meath was devyded into twoe shires, there were noe
more

more but twelve countyes in Ireland besides the libertye of Tipperarye; the number of knights must needs have ben fewe; and since the antient cittyes were but foure, and the boroughs which sent burgesses not above thirtye, the entire bodye of the whole House of Commons could not then consist of one hundred persons; and though queene Mary did adde twoe shires, and queene Elizabeth seaventeene more, to encrease the number of knightes in that howse, yet all did not sende knights to the parliament, for the remote shires of Ulster returned none at all.

For the lords temporall, though they are yet but fewe, yet was the number lesse before kinge H. 8. was stiled kinge of Ireland, for since that tyme divers of the Irish nobilitye, and some descended of English race, have ben created both earles and barons.

And lastly, for the bishops and archbishops, though their number was greater then nowe it is, in respect of the divers unions made of later years, yet such as were resident in the mere Irish countyes, and did not acknowledge the kinge to be their patron, were never summoned to any parliament.

And now, by way of comparison, it may easielye appeare unto your lordship howe much this first parliament nowe begunne under the blessed government of our most gracious kinge James, is like to excell all former parliaments, as well in respect of the cause and tyme of callinge it, as of the persons that are called unto it.

For this parliament (God be blessed) is not called to repelle an invasion, or to suppress a rebellion, or to reduce degenerate subjects to their obedience. Itt is not summoned to passe private bills onelye, or to serve private turnes, or for any one speciall service for the crowne, though such have been the occasions and causes of callinge the most parte of the former parliaments.

But nowe since God hath blessed the whole island with an universal peace and obedience, together with plentye, civillitye, and other felicityes, more then ever it enjoyed in any former age.

This general councell of the whole realme is nowe called principallie to confirme and establishe these blessings unto us, and to make them perpetuall to our posterities.

AGAYNE, this parliament is not called in such a broken and miserable tyme, that wee neede complayne in our billes and petitions of the miseries and calamities of this kingdome, whereas the rolles of former parliaments are full of such complaynts; but it is called as it were in the yeare of jubile, or upon the Saboath of this land, being nowe at rest after all her travayles, which lasted 400 yeares together.

It is called in the tyme of greatest securitye, and in the most joyfull and happie tyme that ever did shine upon the inhabitants of this kingdome.

AGAYNE

AGAYNE, itt is not called in such a tyme as when the foure shires of the Pale onely did send their barons, knights, and burgesses to the parliament, when they alone tooke upon them to make lawes to bind the whole kingdome, neglecting to call the subjects residing in other partes of the realme unto them, as appeareth by that parliament holden by the viscount of Gormanston, which Sir Edward Poyninges, in the tenth yeare of kinge Hen. 7th. cawsed to be utterlye repealed, and the acts thereof made voide, chiefly for that the summons of parliament went forth to the foure shires of the Pale onely, and not unto all the rest of the countyes.

BUT it is called in such a tyme, when this greate and mightye kingdome being wholye reduced to shire ground, conteyneth thirty-three countyes at large, when all Ulster and Connaught, as well as Leinster and Munster, have voyces in parliament by their knights and burgesses, when all the inhabitants of the kingdome, English of birthe, English of bloude, the new British colonye, and the old Irish natives, doe all meete together to make lawes for the common good of themselves and their posterities.

TO this end his majestie hath most gratuslye and justlye erected divers newe boroughs in sundrye partes of this kingdome. I say his majestie hath done it most justlye, even as his highnes himselfe hath been pleased to saye, that he was obliged in justice and honor, to give all his free subjects of this kingdome indifferent and equal voyces in making of their lawes, so as one halfe of the subjects should not make lawes aloane, which should binde the other halfe without their consents.

NEYTHER is this a new or strange president, for his majestie doth but followe the steppes herein of his next predecessors which went before him.

QUEENE MARYE made twoe countyes of Leix and Ossalye, whereby they were enabled to send knights to the parliament, but shee erected boroughes in those new countyes alsoe, that they might send burgesses as well as knights.

IN queene Elizabeth's tyme, Sir Henry Sidney made sundrye countyes in Connaght, immediately before the parliament, which hee held in the xjth yeare of that queene.

AND after him Sir John Perrott did the like in Ulster, neare about the beginninge of the last parliament out of these new countyes, so manye knights were added to the lower house, yet noe man tooke exception thereunto.

THIS did queene Elizabeth in her tyme; what hath kinge James doune nowe? whereas the queene had omitted to make boroughes in these newe countyes, the kinge hath nowe supplied that defect, by makinge these new corporations wee speak of, for whie should all your old shires

have cittyes and borowghes in them, and these new countyes be without them, or shall queene Elizabeth be able to make a countye, and shall not kinge James be able to make a borowgh?

But what proportion is there nowe observed betweene the number of the countyes, that before this tyme had noe borowghes in them, and the number of the borowghs newly erected?

CERTENLYE the number of these new borowghes compared with the countyes that never had any burgesses before this tyme, doth carrye a lesse proportion then the antient borowghs compared with the number of the antient countyes, for in those 12 or 13 old shires, there are thirtye cittyes and borowghes at least, which send citizens and burgesses to the parliament.

WHEREAS for seaventeene countyes at large, being more then halfe the shires of the kingdome which had not one borowgh in them before this new erection, his majestye hath nowe lately erected but fortye new borowghs, or thereabouts, which in the judgment of all indifferent men must needs seeme reasonable, just, and honourable.

LASTLYE, this parliament is called in such a tyme, when all the lords spirituall and temporal do acknowledge the kinge of England to be their undoubted patron: and when all the lords temporall do appeare in an honorable fashion like themselves, none of them (God be thanked) clayminge any such priviledge, as the undutifull earle of Desmond was wonte to clayme, that hee should never be summoned to come within any walled towne, nor to any parliament or ground counsell, but at his owne will and pleasure.

WHEREUPON, I may positively conclude, that this present parliament nowe begun by your lordship, doth passe and excell all former parliaments that ever were holden in this kingdome, as well in the happines of the tyme wherein it is called, and the importance of the cause for which it is called, as in the number and worthines of the persons which are, called thereunto.

AND this doubtles is a great honour and happiness unto your lordship above all the former viceroyes of this kingdome, for that your lordship doth nowe hold the first parliament, that may justlye be called a common counsell, wherein all the commons throughout the kingdome are present, and have free voyces by their knights and burgesses; a felicitye and a glorye that manye of your predecessors, zealous of the reformation of this kingdome, did exceedinglye desire, but could never attayne unto it.

Howe glad would Sir Henrye Sidney have ben to have seenne this day; he that so much desired to reduce Ulster, but could never perfectlye perfourme it, what honor would he

he have thought it unto himselfe, if he might have held a parliament, unto which that province should have sent so many worthy knights and burgesses as now it doth?

Howe joyfull would Thomas erle of Sussex have ben, to have seene the statute hee cawsed to be made for reducinge the Irish countreyes into shire ground, to have taken so good effect as nowe it hath, since all these countreyes are now brought into countyes, and do all send knights to serve in this parliament?

IN a word, Sir Edward Poyninges, in the tyme of kinge H. 7th, and Lyonell duke of Clarence, in Edw. 3d. his tyme, if they could have seene but halfe such an assemblie in their parliaments, would have thought themselves happie and highlye honored; and yet those parliaments holden by them, are the most famous parliaments that have ben formerly holden in this kingdome.

AND truely, as your lordship hath more honour in this respect then any of your predecessors, so I may justlye say without adulation, that your lordship hath merited this particuler honor more then any of them that have gonne before you.

FOR if it be an honor unto you to hold such a parliament, you doe but reape the fruite of your owne labours, since yourselfe principallie have prepared the waye to this parliament, aswell by your marshall vertue in tyme of warre, as by your justice and pollicye in the tyme of peace.

FOR hath not your lordship (I humbly crave your lordship's pardon, I will not presume to aske you the question) but I will aske these reverend prelates and noble lords, these grave and learned judges, these worthie knights and burgesses, I will aske them the question; hath not this most noble deputye ben a principall author of the reformation of this kingdome? was not his fortitude one of the chiefe instruments for suppressinge the late rebellion? and hath not his justice since that tyme establisht the publique peace of the kingdome?

HATH hee not acted his parte so well upon this theater of honor, as noe man is ambitious to come upon the stage after him, knowing it is more easye to succede him in his place, then to follow him in his paynefull and prudent course of government, and that hee must be as stronge as Hercules to undergoe the burthen that such an Atlas hath borne before him?

NAY, hath not himselfe performed Hercules labours in suppressing more monstrous enormities in Ireland, then Hercules himselfe did destroye monsters when hee sought adventures over all Europe?

I ASKE not these questions, as if any man here were doubtfull or ignorant of his noble vertues and deserts, but as praise

is nothing but a reflection of vertue, so should it be delivered rather collaterallye then directlye, to avoyde suspicion of direct flattery, which I knowe your lordship loves not, as I knowe your lordship needes it not.

NEVERTHELESS (right honourable lord) for nowe I must convert my speeche to your lordship, though you have noe neede of my praise, yet it is most needefull in respect of the place you hold, that your lordship should be adorned with all praise-worthye-vertues. You had neede be a vertuous and most worthy deputy, since you sett in the throne, and represent the person of the most vertuous and excellent kinge in the world.

FOR hee that doth fight with the sword of a kinge, write with the penne of a kinge; hee that hath the justice, mercye, and bountye of a kinge in his hands, had neede be furnisht with those noble powers and vertues as are fitt for the rule and government of a kingdome, specially if hee hold the place of such a kinge, as our most renownned and gracious soveraigne is, who is the greatest and best kinge that nowe reigneth upon the face of the earth.

I CALL him the greatest kinge, not so much for the largeness and extent of his terretoryes, nor for the multitude of his subjects, though hee be in possession of three great kingdomes, and doth command more martiall and able men then any kinge in Europe at this daye.

BUT I will call him indeede the greatest kinge for his exceedinge great measure of goodness and vertue, and for the great grace and favor that his majestie standeth in with the devyne majestie the Kinge of kings.

FOR if that man be accompted the greatest subject of a kingdome that is in highest favor with a kinge upon earth, whie should not that kinge be the greatest kinge on earth that is in greatest favor with the Kinge of Heaven?

AND that our most gracious soveraigne standeth in highest favor with Almighty God, doth not onely appeare by the innumerable blessings powred from Heaven upon him, and upon his kingdomes for his sake, by the spetiall providence and care God hath alwayes had of his sacred person, by protecting and delivering him from his enemies.

AGAYNE, I will call his majestie the best kinge, for that hee is a most just kinge, and justice is the best of all kinglye vertues; and for that alaoe hee is a most bountefull kinge, resembling therein the devyne goodnes, ever spreadinge and communicating his riches unto others, which wee must needes remember in this kingdome, for wee can't forgett it without ingratitude, since wee all knowe that his majestie doth not onely expend the whole revenue of this lande upon it selfe, but spares yearly out of England a great masse of treasure to support the extraordinarie charge

charge thereof, out of which the greater number of us here present, by enterteynments, pensions, or rewards, do taste every daye of his majesties bountye.

LASTLY, his majestie ought to be called the best kinge, aswell for his sweete inclynation to peace, whereby hee doth make happie both his owne domynions, and also his neighbor kingdomes round about him.

As for his singuler pietye and religion towards God, which is the best and highest praise that can be given to any prince.

BUT I should launch fourth into a mayne sea, that hath neyther bottome nor shoare, if I should proceede further in the praise of such a prince, whose worthynes exceeds all degrees of comparison; itt is a theame to highe and to large for mee to handle, itt becometh mee better to give thanks then prayse.

AND, therefore, I will conclude with most humble thanks, first unto Almightye God for giving us such an excellent kinge; then unto our most gracious kinge for appoyntinge uss o worthye a deputye; and lastlye, unto our noble deputye for all his good services and endeavours tendinge so much to the honor of God and the kinge, and the general good of the whole kingdome.

AND now I descend unto these humble petitions which I am to make, &c.

Wherein he most humblye requested that the antient rights and priviledges of the House of Commons, in freely delivering their speech and mindes, and of being free from arrest, as well themselves as their servants, duringe the tyme of Parliament, might be kept whole and untouched; and if that in anye thinge not well by them understood, they should happen to offend, hee requested leave, as well for himselfe as for the rest, to have, access unto his lordship.

NOTES on the foregoing Speech.

[A] *A real union, &c.* In the History of Ireland during the reign of Henry the Second, I have endeavoured to establish this position; and it is with pleasure that I find my own sentiments confirmed by so great an authority. Molyneux (in his Case of Ireland, &c.) contends, that by the donation of Ireland to John, "it was most eminently set apart as a separate and distinct kingdom:—that the
"regality

"regality of Ireland was wholly and separately vested in John, being absolutely granted to him without any reservation." But we have already seen (Vol. I. p. 129.) that the subjects of Ireland, in consequence of this donation, were bound not only to John and his heirs, but also to the king and his heirs; and that in the grants of earl John during the reign of Richard the First, the lord of Ireland excepts those things which *pertain to the crown*. (Vol. I. p. 151.) In his grant to the canons of Saint Thomas the Martyr in Dublin, his expressions are, "*Volo etiam et firmiter præcipio, quod prædicti canonici habeant unum burgagium liberum et quietum ab omnibus consuetudinibus, et tallagiis et omnibus demandis, præter actiones ET PLACITA, QUÆ SPECTANT AD REGIAM CORONAM.*" (Rot. Antiq. penes Comit. Midiae.

BUT this idea of a strict and inseparable connexion originally intended between the two kingdoms, cannot be more clearly expressed than by the words of the grant made to prince Edward in the 38th year of Henry III. The king grants Edward—"totam terram Hiberniæ, exceptis civitatibus Dublin et Limerick, &c. totam comitatem Cestriæ cum castris et villis,—una cum conquestu Walliæ in finibus illis,—et totam villam Bristol cum castello, &c."—with one express restriction, with respect to the English as well as Irish territories, both of which are considered as indiscriminately and equally belonging to the crown of England.—"*Ita tamen quod prædictæ terræ et castra omnia NUNQUAM SEPARANTUR A CORONA; et quod nullus, ratione istius donationis eidem Edwardo factæ, aliquid juris vel clamei aliquo tempore sibi vindicare possit; sed INTEGRE MANEANT REGIBUS ANGLIÆ IN PERPETUUM.*" (Rymer. tom. i. p. 501.)

[B] *For the space of, 140 years, &c.*] ACCORDING to this assertion, the subjects of Ireland had no great councils, or parliaments of their own, until the eighth or ninth year of the reign of Edward the Second. On the other hand it is contended, that Henry the Second, besides the appointment of counties, "of sheriffs, and of other officers necessary for the execution of English laws," gave the new settlers of Ireland what is called *MODUS TENENDI PARLIAMENTA*. (See Molyneux' Case, &c. p. 26.)—The authenticity of the record exhibited as this *Modus*, is indeed liable to many objections; yet there is some evidence, that the English settled in Ireland held their great or general councils, even in the reign of Henry the Second; for, a statute of Henry Fitz-Empress is recited in an Irish act of parliament, 2 Richard III. and confirmed and ratified by this act. Nor do we want evidence of great councils in Ireland much earlier than the time assigned by Sir John Davis for the commencement of them. In the 38th year of Henry III. the king, in order to obtain aid against the king of Castile, orders a great council to be formed in Ireland, by a convention of prelates, "*cum aliis magnatibus terræ Hiberniæ.*" (Rymer. tom. i. p. 497.) About the year 1295, or to speak more precisely, not later than the year 1303, it appears from a record in the Black-Book of Christ Church, Dublin, that a grand council or parliament was held in Ireland (the proceedings of which have been already specified, (Vol. I. p. 53.) and this with form and solemnity. The record saith, "*Justiciarius hic de communi consilio domini regis in hac terra, ad pacem firmitus stabiliendam, ordinavit & statuit ge-*"
"nerale

"rale parliamentum hic ad hunc diem. Et mandatum fuit archiepiscopis, episcopis, abbatibus, et prioribus, quorum presentia videtur ad hoc esse necessaria, necnon et comitibus, baronibus, & aliis optimatibus terre hujus, videlicet unicuique eorum pro se, quod essent hic ad hunc diem. Et nichilominus, præceptum fuit vice-comitibus Dubliniæ, Louethiæ, Kidariæ, Waterfordiæ, Katherlagh, Kilkennia, & Ultoniæ quod unusquisque eorum pro se, videlicet vice-comes in pleno comitatu suo, et senescallus in plena curia sua libertatis suæ, per essensum comitatus sui, seu libertatis eligi faceret, duos de probioribus et discretionibus militibus de singulis comitatibus et libertatibus, qui hic nunc interessent, plenam potestatem habentes de tota communitate comitatus & libertatis ad faciendum, &c."—Surely we have here an instance of a great council, which Davis himself would acknowledge to be a PARLIAMENT, and not a PARLEY, earlier than the eighth year of Edward the Second.

THAT the subjects of Ireland considered the assembling and deliberating among themselves on all national affairs, as their right and privilege established, and expressly stipulated, on their first settlement, we have a clear proof in the curious record annexed to vol. I. (see Appendix, No. 2.) "We are not bound," say the clergy of Armagh, "according to the liberties, privileges, laws, and customs of the church and land of Ireland, to elect or to send any of our clergy to the parts of England, unto parliaments or councils to be held in England."—"We are not bound," saith the sheriff of Louth, "agreeably to the rights, privileges, liberties, laws, and customs of this land of Ireland, from the time of the conquest of the same, and hitherto used, to elect or send any persons from the said land, to parliaments or councils to be held in England, to treat, consult, and agree, as this writ requires." And according to the extracts of this record which I found in the Bodleian Library, the answer of the county of Dublin was equally decisive and explicit. "The nobles and commons of this county declare with one voice, "According to the rights, privileges, liberties, laws, and customs of the land of Ireland enjoyed from the time of the conquest of the said land, we are not bound to send any persons from the land of Ireland to the parliament or council of our lord the king in England." And these rights and privileges they claim in consideration "of the burdens they had borne, and still do bear, &c."—Such were the ideas of the subjects of Ireland in the reign of Edward III.

THE accurate researches of Mr. LONGE furnish us with declarations still more explicit. In the 32d year of Henry the Sixth, a parliament of Ireland, asserts that "all the liege people of Ireland had, and used to hold parliaments without interruption, from the conquest of the said land by the most noble king Henry Fitz-Empress, to the present time." And in a certified bill (Pa. Rol. 19 Hen. VI.) it is recited, that "the land of Ireland is your lordship's of olde tyme, annexed to your crown; in the which land, ye and all your progenitors, sometyme kings of England and lords of Ireland, of the tyme that none myn renueth have had courtes, that is to say, Chancery, King's Bench, and Eschequer; and other courtes reall, that is to say, parliaments and greate counseilles." It is also remarkable that the first printed statutes of the Irish legislature were made in the third year of Edward the Second, at a time when Sir John Davis asserts that the high court of parliament had no existence in Ireland.

[C] *Doubles though the rest, &c.*] In the foregoing note arguments have been offered to prove that this is a mistaken assertion, however peremptorily delivered. And I venture to express my suspicion, that this idea of the speaker, that "the wisdom of the state" of England, thought it fit to reserve the power of making laws to "the parliaments of England," is modern, and not suited to the times of which he treats. In these times we discover no traces of any refined speculation about dependency, subordination, &c. Princes and statesmen indolently rested the right of dominion in Ireland, on the grant of pope Adrian even to the days of the Reformation. In consequence of this persuasion, we find that Richard the Second, in the indentures of the Irish chieftains, made the penalties on the violations of their treaty, payable in the Apostolical chamber. In the reign of Henry the Fifth, the English of Ireland petitioned the king that the pope should be solicited to support his grant, by publishing a crusade against the rebellious Irish. In the seventh year of Edward the Fourth, an Irish parliament formally asserts the grant of Adrian, and founds the seigniority of Ireland on this grant. Henry the Seventh addressed himself to pope Alexander, requesting that he would fulminate his censures against the insurgents of Ireland, as if the holy see was equally affected by their rebellions, as the crown of England. Nor was it till the eleventh year of Elizabeth that an Irish parliament learned to derive the right of dominion in Ireland from king Gurmonde and king Belin.

Nor in these early days were the subjects of either country jealous of the rights of legislation. Both in England and Ireland, the attendance on parliaments was deemed a burden. The English were generally too inattentive to the affairs of Ireland, to reserve or assume, or claim any power of regulating the infant settlements. The subjects of Ireland had received the English law as their stipulated right, and a right repeatedly confirmed to them. They never conceived the transmission of such statutes, at least, as declared or explained the law, as an infringement of their right. They sometimes solicited them; they received them gladly, they adopted them in their councils, they promulged them in their cities, and enrolled them in their courts, without ever scrutinizing the authority by which they were originally enacted in another place.—I presume not to enter into the discussion of any critical or obnoxious questions in law or politics. I mean but to assert that such questions were not agitated in these early periods.

Nor is the change wrought by time in the ideas and sentiments of a people wholly unworthy of regard. Mr. Prynne discovered a writ whereby several lords of Ireland were in the eighth year of Edward II. summoned to a parliament at Westminster. (See *Animad.* p. 260.) He was scandalized at the discovery; he insisted, that they were summoned only as commissioners or agents, not as members of parliament: "because," saith he, "the writ doth not contain the addition of *vestrumque consilium impetrari*, added to all writs of summons to prelates and temporal lords who are members of parliament, and to all the king's counsel summoned as assistants." But the insertion of these words doth not seem to have been established at this time, by ancient and uniform usage, as
essential

essential to a writ of summons. In the 23d, in the 30th, in the 33d of Edw. I. in the second of Edw. II. and in the seventh year of the same reign, we meet with undoubted writs of summons which have not these momentous words. (See Dugdale's Summons to Parliament.) Mr. Prynne doth not explain how agents or commissioners should be called from Ireland by the king, to treat and confer not only on the state of their own country, but also, *de aliis negotiis arduis et urgentibus nos contingentibus*. His records might have informed him, that in the second year of this very reign, a bishop-elect of Dublin, received his writ of summons to a parliament at Westminster, as a bishop, and with other bishops. (See Dugdale Summ. to Parl.) The honour which Prynne denies the subjects of Ireland they were not in these days solicitous to claim. It now appears, that they regarded it not as an honour, but a grievance: and it was even esteemed a hardship that a lord of England, accidentally residing in Ireland, should be summoned from thence to a parliament of England. Thus it appears from a Close Roll, 9. Edw. II. that the king omitted Roger Mortimer of Wigmore in his first writs of summons to a parliament at Lincoln, because he was in Ireland: but understanding he had come to England, he commanded Mortimer by a special writ to attend this parliament, *provided he was not to return to Ireland before its meeting*. (See Prynne's Animad. p. 261.)

(D) "*This latter act is that we call POYNINGS' ACT; and is indeed, &c.*" THE object and purpose of this famous law, and the reasons for enacting it, may be collected with sufficient ease from the history of Irish affairs, particularly in the reigns of Henry VI. Edward IV. and the first years of Henry VII.

It hath already appeared, that the ordinance of the reign of Edward II. for holding annual parliaments in Ireland, conferred no new right, but only directed that these assemblies, hitherto convened occasionally, should for the future be held every year: but at the same time, to prevent the inconveniences apprehended from too frequent meetings, that they should be held in every year, *ONCE*. That the expression is to be understood in this restrictive sense appears from the preamble of an Irish act, 29 Hen. VI. which declares, "that the custom of Ireland is, and hath been *time out of memory*, "that no lieutenant, deputy, justice, or other governor, shall appoint, support, or hold any parliament, more than once a year." This preamble shews that the appointment of these parliaments was from time immemorial, by the chief governor: nor can we controvert the recital of another Irish act, 11 Eliz. That before the statute of Poynings *liberty was given to the governors* to call parliaments at their pleasure. Whether this was an incautious deviation from ancient usage, or whether the liberty was originally entrusted to the discretion of governors, seems not necessary to determine. It was exercised in the reign of Edward I. frequently in the reigns of Hen. VI. and Edward IV. and bills were passed or rejected by assent or dissent of lords deputies, delivered in the royal style, without any previous communication with the king.

The inconveniences of this usage were severely felt by the Irish subjects. In the first place, chief governors spurned at the restriction of convening only one parliament in a year, and when

the purposes of their faction were to be served, they summoned several parliaments from the district to which their power was confined, at the interval of a few months. Such frequent attendances were intolerable to those, who were sure to have their lands ravaged by the Irish enemy, during their absence in the capital, or residence of the deputy. The ancient usage was therefore necessarily revived by a statute 34 Hen. VI. which declared, "that if need required that of necessity one parliament or great council shall be had before the governor of the land for the time being, that for the future there shall be summoned but one parliament or great council within one year; and if the chief governor for the time being, should cause the king's writs to issue, to have one other parliament or great council within the said year, that then it shall be lawful for those who are summoned to absent themselves, and not to come to the said parliament or council so summoned without incurring any damage or loss: and that any thing done in such parliament or great council shall be void and held of no effect, by authority of this parliament."

BUT as this was only a temporary ordinance, to continue for three years, the abuse was speedily revived: and a new and grievous inconvenience was experienced from frequent parliaments. They oppressed the subjects by taxes repeatedly imposed, and subsidies exacted at the pleasure of rapacious governors. The subjects sought redress from the throne; and in the nineteenth year of Edward IV. the king directed "that in no parliament to be holden hereafter there shall no subsidy be axed, ne granted in the same upon the commons, ne levied but one in a yere, whiche shall not excede the extent of seven hundred mark, as hath been accustomed."

THESE royal instructions were slightly regarded by factious lords; nor were statutes made by former deputies considered as of the least validity, when some rival succeeded to the government. What had been enacted in one parliament, was rescinded in another: and in both, the partiality, the jealousy, the revenge of a ruling faction dictated the law. Such, particularly, was the state of Irish legislation during the contests of Yorkists and Lancastrians: till at length different assemblies convened at the same time, and each assuming the authority of a constitutional parliament, distracted the subjects by their different statutes, and forced them for relief and direction to the throne, their usual refuge from the violences of their great lords. (Vide vol. II. p. 66.) To complete their grievances, an Irish parliament was in the reign of Henry the Seventh, convened by the authority, and in the name of a mean pretender to the throne, enacted its statutes to maintain his interest, and thundered its vengeance against his opposers (vol. II. p. 81.) The suppression of this adventurer produced new laws for mortifying and punishing his adherents. These enflamed their resentments, and provoked their opposition; and rival assemblies again made it doubtful in whose hands the legislative power was rightfully deposited.

THE administration of Sir Edward Poyning's was intended and calculated for reforming abuses, and connecting the Irish subjects more closely with the crown, from which they had indeed been detached and estranged. This governor found them still smarting with

with the evils of many years of faction and confusion. He found them just reconciled to the reigning prince, and eager to atone for their late revolt. He had address to improve these dispositions: and in the sudden violence of real or affected loyalty they hastily embraced the first device that was suggested, to prevent the vexations they themselves had experienced, and to secure the interests of the crown from any future competition in Ireland. An Irish house of commons requested, and at their request it was enacted, that from a certain time, "no parliament be holden hereafter in the land of Ireland, but at such season as the king's lieutenant and council there first do certify the king, under the great seal of that land, the causes and considerations, and all such acts as them seemeth should pass in the same parliaments, and such causes, consideration, and acts affirmed by the king and his council to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts as to summon the said parliament, under his great seal of England had and obtained: that done a parliament to be had and holden, after the form and effect afore rehearsed." (Vide Poynings' Statute at large, vol. II. p. 108.)

In consequence of this statute the parliamentary business of Ireland was conducted in a manner, of which the people entertained no jealousy: for by securing the authority of the crown, it circumscribed the power of the Irish chief governor, which experience had taught them to regard as dangerous. The privy council called the lords and gentry of the Pale into consultation whenever a parliament was to be convened. They agreed on the laws proper to be enacted: these were drawn up in form, communicated to the king, and by him transmitted under the great seal, to be laid before the parliament, and there debated, accepted, or rejected. The share which the lords and gentry of the Pale took in propounding and preparing these laws in conjunction with the council, was by custom established into a kind of right. At least when it was first denied them, in the year 1612. they clamoured loudly against the dangerous innovation. Vide vol. II. p. 443.)

BUT this statute of Poynings was not so explicit as to prevent all controversy about its real import and purpose. "Diverse and sundry ambiguities and doubts," we are assured arose on its true meaning. (Vide Explain. Stat. 3 & 4 Ph. & Ma.) They who were most tenacious of the rights of legislation, found some reason to assert, that this statute, in effect, prescribed nothing more than the conditions previously necessary to the assembling an Irish parliament. They confessed that no parliament was to be holden, until the certifications and transmissions prescribed by the law of Poynings were first made: but as the law contained no express provision that the parliament thus assembled should treat ONLY of the acts transmitted, and NONE OTHERS, they inferred, that a parliament once summoned by royal licence, was still at liberty to treat not only of the articles submitted to them by the crown, but of any other points which they should judge necessary for the common-weal.

THEY who affected greatest zeal for government contended on the other hand, that the intention of this law was nothing less than to confine

confine the Irish legislature to those points, which should be transmitted from the throne previous to their assembly.

Others again asserted, that the object of Poyning's law was not only to limit the power of a chief governor, in summoning parliaments at his pleasure, but to prevent his procuring or assenting to any laws, of which the crown had not been previously informed, and which it had not judged expedient to be established. They allowed the right and necessity of making new provisions for the realm, subsequent to the meeting of parliament, but these, they contended, should be first certified to the king, in order to answer the full purpose of Sir Edward Poyning's statute.

AND in the interval between the 10th of Hen. VII. and the 3d of Philip and Mary, we find the usage of Irish parliaments conforming at different times to each of these different interpretations. Sometimes the legislature instead of confining themselves to enacting or rejecting the laws transmitted for deliberation, took the liberty of modelling them according to their own notions of expediency: a liberty countenanced and allowed by the crown; for bills were transmitted (I speak from the authority of Mr. Lodge) with blanks relative to times, places, and numbers. Sometimes indeed they exercised this liberty with caution and deference. Thus a subsidy bill, 24 Hen. VII. had been framed with so little attention to any form prescribed, that the parliament deemed it necessary to subjoin a provision, that the king should at his pleasure revoke or reform it, if he disliked the whole or any part. Additions were also frequently inserted in transmitted bills without controul. Thus to mention no other instances, the proviso to the act 28 Hen. VIII. for suspension of Poyning's law, was added by the parliament without previous licence.

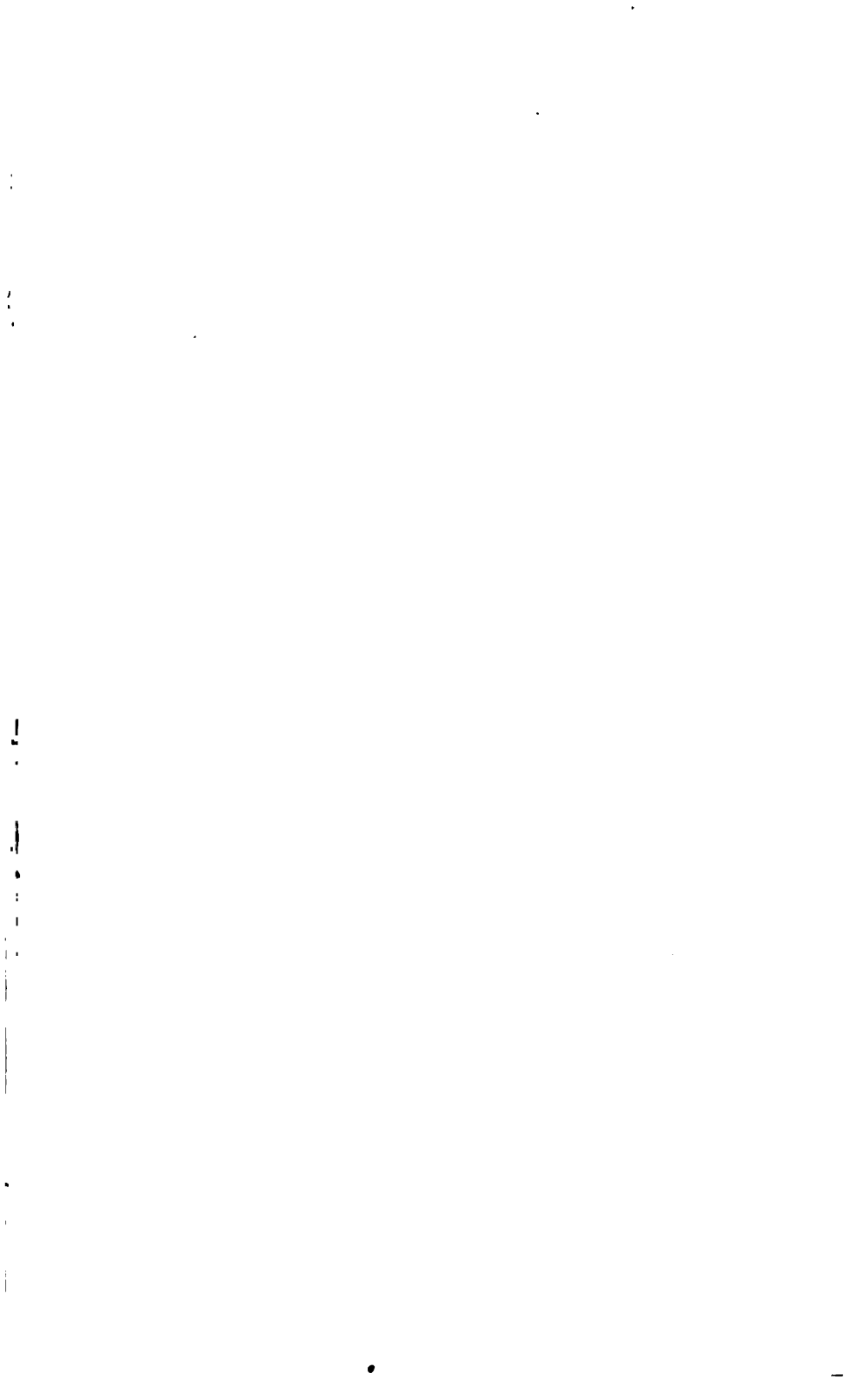
BUT, not contented with the addition of particular clauses, parliaments once convened, assumed the power of framing and passing bills never transmitted. Here indeed we find the crown sometimes interposing, objecting to such bills as out of course, and directing that they should be revoked. (Dors. Rot. Canc. 32 Hen. VIII.)

IN the MS. entitled the Red-Book of the Earl of Kildare, (communicated to me by the condescension of his grace the duke of Leinster) I have seen a commission, 7 Hen. VIII. to Gerald earl of Kildare to hold a parliament; with the bills to be passed regularly and formally drawn up, and beginning in the usual style, *PRAYEN THE COMMONS, &c.* The commission directs that the parliament should treat on the bills transmitted and *none others*, "*super subsequentibus articulis—ET NON ALIIS;—juxta formam commissam, ET NON ALITER.*" By such restrictions it seems plainly intimated, that the parliament might otherwise confine themselves to the bills transmitted. Nor do we find such restrictions always enforced with the same rigour; for we have the king's commission to Sir Anthony Saint Leger (32 Hen. VIII.) to summon a parliament for treating on certain articles and provisions now transmitted, and on such others, as shall be hereafter sent, when, and as often as during the session of said parliament, it shall seem expedient to the crown. (Rym. tom. XIV. p. 715.)

SUCH were the variations in the usage of Irish parliaments, which produced the act of 3d. and 4th Phil. and Mary, "declaring how Poyning's acte shall be expounded and taken." (Vol. II. p. 212. Irish Stat. v. I. p. 246.) It declared the chief governor and council empowered,

powered, during the session of every parliament, to certify such other causes, considerations, &c. as they think expedient; which had already been the practice in some instances. But it declared also, that no other acts but those transmitted, either before or during the session, could be enacted by the parliament, thus expressly denying them the liberty they had sometimes assumed, and confining them within stricter bounds than they had hitherto uniformly observed.

It appears extraordinary, that this explanatory law should be entirely overlooked so early as the eleventh year of Elizabeth; and that the act of Poynings' should be interpreted in the most rigorous sense, as precluding the Irish parliament from establishing any provisions, but those which had been certified and transmitted previous to their assembling. Yet this we find to be the case from the recital of a statute made in this year. (Irish Stat. vol. I. p. 321.) It is scarcely credible that Sidney and his council could be ignorant of the explanatory law: but it is not impossible, that they might have designedly overlooked it, in order to state the necessity of suspending Poynings' law to the queen in the strongest light. But however this may be, we have seen in the reign of Elizabeth that government repeatedly contended for an occasional suspension of this famous law; that the people were alarmed at such attempts; that they dreaded the power of a chief governor, supported by a small parliament composed chiefly of his own creatures: and that they considered a strict adherence to the statute of Poynings as the great security of the subject. As the business of Irish legislation grew more important, and the parliaments more respectable by the increasing numbers of the commons, men's ideas changed gradually. Lord Strafford recommends to his master, that the previous allowance of laws to be propounded in the parliament of Ireland, should be "held as a sacred prerogative, not to be departed from, in no piece to be broken or infringed." (See Strafford's Lett. Jan. 22, 1633.) We shall find him severally rebuking the principal lords of Ireland, when, agreeably to ancient usage, they desired to confer with the council, on the laws to be propounded in his parliament. But if he was imperious, the subjects of Ireland were more considerable than heretofore, and more jealous of the power of the crown. In the reign of James, the commons occasionally claimed the right of being at least "remembrancers" to the council of such laws as were fit to be propounded. (See Irish Com. Jour. vol. I. p. 47.) After the fall of Strafford, they proceeded yet farther. They claimed and established the right of preparing what are called HEADS OF BILLS in their own house, and presenting them to the governor and council for transmission. Thus we see the present progress of an Irish law. Heads of a bill are framed in either house of parliament, presented to the chief governor and council; formed into a law and returned from England under the great seal; propounded in parliament, passed by the houses, and established by the royal assent, pronounced by the chief governor.





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